

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT 2775 GARRISON AVENUE, August 14, 2017, AT 12 Noon

The following were present: Mayor Patterson, Commissioners Ashbrook, Buzzett, and Lowry. City Manager Jim Anderson, City Clerk Charlotte Pierce, and Attorney Clinton McCahill were also present. Commissioner Thursbay joined the meeting at 12:12 P.M.

CONSENT AGENDA

Minutes

A Motion was made by Commissioner Ashbrook, second by Commissioner Buzzett, to approve the Minutes of the Regular Commission Meeting on August 1, 2017, and the Workshop Meeting of August 8, 2017. All in favor; Motion carried 4-0.

Guest Speaker – Representative Halsey Beshears* - this was moved further in the meeting awaiting the arrival of Representative Beshears.

PORT ST. JOE REDEVELOPMENT AGENCY (PSJRA)

Commissioner Buzzett shared there will be a ribbon cutting for the gateway arch on Monday, August 21, 2017, at 2:00 P.M., and invited citizens to attend and enjoy the eclipse from there.

CITY ATTORNEY UPDATE –

Easements

Wimico Timber – Mr. William Leonard with American Forestry noted they have cut approximately 1,900 of their 2,000 acres leaving about 100 acres left to be cut. They will not be back until the fall or possibly the Spring of 2018. He anticipates it will take about three weeks to cut the acreage.

This was Tabled until the September meeting.

The Commissioners continued to express their concerns about the water line and need to protect it.

Clay Smallwood stated there were two issues, we do not know the integrity of the pipe and if the headwall at the end of the pipe were hit by a truck what could happen.

Mr. McClamma shared that he had contacted someone about checking the inside of the pipe and that could run around \$5,000 for them to scope the pipe.

***Guest Speaker – Representative Halsey Beshears** updated the Commission on the Medical Marijuana Dispensaries. Specific language was in the bill to take care of most issues. A town can ban any and all dispensaries but should you decide to have one, you cannot restrict where it will be located as it must be treated like a pharmacy. He also shared about the number of statewide dispensaries, who can apply, and when more dispensaries would be allowed.

Mindy Pate, Christy McElroy, and Zebe Schmit asked Representative Beshears several questions.

Mayor Patterson requested funding support of Representative Beshears for the Long Avenue Project. There is \$8 Million state wide for this type project and hopefully, St. Joe will received some of the funds.

Commissioner Thursbay joined the meeting at 12:12 P.M.

Commerce Park Lot – Mr. McCahill has not received the executed Quit Claim Deed as his contact has been out of town. He is continuing to work on this. Mr. Anderson shared that Mrs. Burke had provided a 30 day extension until this issue can be resolved.

Ordinance 535 Voluntary Annexation of Parcel 06077-000R – Public Hearing and First Reading:

No one from the public spoke at the Public Hearing. A Motion was made by Commissioner Thursbay, second by Commissioner Ashbrook, for Attorney McCahill to read Ordinance 535 by Title only. All in favor; Motion carried 5-0.

Attorney McCahill read Ordinance 535 by Title only.

Ordinance 536 Zoning Change of Parcels 06067-000R and 06077-000R – Public Hearing and First Reading:

No one from the public spoke at the Public Hearing. A Motion was made by Commissioner Ashbrook, second by Commissioner Thursbay, for Attorney McCahill to read Ordinance 536 by Title only. All in favor; Motion carried 5-0.

Attorney McCahill read Ordinance 536 by Title only.

Ordinance 537 Multi-Family in Certain Areas of the C-1 District – Public Hearing and First Reading:

No one from the public spoke at the Public Hearing. A Motion was made by Commissioner Thursbay, second by Commissioner Lowry, for Attorney McCahill to read Ordinance 537 by Title only. All in favor; Motion carried 5-0. This is for C-1 lots between Long and Woodward Avenues and Second to Fifth Streets.

Attorney McCahill read Ordinance 537 by Title only.

Ordinance 538 Amendment to Section 3.21 of the LDR – Public Hearing and First Reading:

No one from the public spoke at the Public Hearing. A Motion was made by Commissioner Ashbrook, second by Commissioner Thursbay, for Attorney McCahill to read Ordinance 538 by Title only. All in favor; Motion carried 5-0. This will allow for the miniature golf course and comply with keeping it 2,000 feet off of highway 98.

Attorney McCahill read Ordinance 538 by Title only.

Randy and Anita Carver were at the meeting, noted they had a Letter of Intent to Purchase, and they are looking at two designs for their park with each being ADA compliant. Mr. Carver provided a handout of their plans.

CITY MANAGER'S REPORT – Jim Anderson

Old Business

Tenth Street Park Update – The Committee met on August 10, 2017, and recommended to the Gulf County Board of Commissioners that a Task Order be given to Dewberry / Preble – Rish to analyze the stormwater pipe. The FRDAP Committee will be meeting on September 28, 2017, at 9:00 A.M. Consensus of the City Commission was that the baseball parks should be a priority.

New Business

Insurance RFP – Dwight Van Lierop: Mr. Van Lierop shared that all three insurance companies that cover public entities bid on the insurance. The low bidder was Preferred Governmental Insurance Trust (PGIT) giving a quote of \$222,650 which is a savings of approximately \$59,000. PGIT provides a 3% Wind Deductible as compared to 5% with the previous carrier. There was an improvement in Automobile coverage, Fire Trucks are rated at an Agreed Value rather than the Cash Value and there is a 2 year rate lock on the premium. Mr. Van Lierop recommended that the City go with PGIT as the City's Insurance carrier. A Motion was made by Commissioner Lowry, second by Commissioner Buzzett, to award the City's insurance to PGIT. All in favor; Motion carried 5-0.

Commissioner Thursbay thanked Mr. Van Lierop and Commissioner Ashbrook for their hard work on this issue.

Stormwater at 1111 Garrison Avenue – Commissioner Lowry: Mr. Anderson has talked with F & B Builders and feels they have come to a resolution. F & B will create a ditch on their customer's property which should resolve the issue. Becky Durden, who resides at 1111 Garrison wanted assurance that the issue has been taken care of and that opening a ditch would prevent future flooding.

Building Department Contract – Mayor Patterson stated he had been meeting with Gulf County officials on the possibility of the County taking over the City's Building Department. He feels that the City and County should work together and this would be good for the citizens.

Bo Creel, City Building Inspector spoke and noted that his office is open from 8 A.M. to 1:00 P.M. each day as compared to the County's office that is open from 7 A.M. to 5:30 P.M. Monday through Thursday. Mr. Creel has an Inspector on sight 5 days per week. He also shared that his company, EPCI, has an ISO Rating of 3 where the County's is a 5. This rating impacts the rate citizens pay for their insurance. EPCI gives 18% of their collected revenue back to the City in exchange for office space, phone, and copy machine; Mr. Creel provides the personnel. The Staff of EPCI consists of 3 Building Officials, 6 Building Inspectors, 3 Fire Inspectors, and an engineer. He noted that \$38,000 was returned to the City when the hospital was permitted and \$9,000 on the recently built apartments.

Commissioner Thursbay shared he would look at all the figures and do what is best for the City.

Commissioner Ashbrook questioned the ISO Rating and if going with the County would make a cost difference. Mr. Creel stated you might see an increase in insurance rates for the citizens.

Commissioner Lowry advised that he will abstain from voting on this issue as he is a County Employee.

Mayor Patterson noted he just wanted to get this out for everyone to look at and will be doing what is best for the citizens.

Commissioner Buzzett stated he wanted to go on record that he is pretty sure he will be against changing. He believes in cooperation but all cooperation right now seems to be one sided. Commissioner Buzzett favors Mr. Creel as he attends City PDRB meetings, helps the City meet the requirements of the LDR, and also does a lot more for us at his expense. He will have to see a tremendous savings to the City before supporting a change and will be looking at premiums and other factors. He thanked Mr. Creel for the job he is doing and will be talking with contractors to see if they are satisfied or not.

Christy McElroy reminded the Commission that Building Inspectors are revenue generators for areas. The County is interested in this because of the building boom. She would hate for the City to not capture this revenue for the City. If this is turned over to the county, they would add a new person to that department, the tax payers would have to buck up and pay that person, and the City would be losing revenue. The City has a different LDR, and a Planning Board. She suggested going out for bid or renegotiate the EPCI Contract if there are issues. Ms. McElroy also noted that Commissioner Lowry will not be voting on this issue; there is another person sitting on the Commission that is a County employee, and it does not look kosher for either of them to vote on this issue.

Commissioner Thursbay left the meeting at 1:05 P.M., stating that he had to return to his job.

Mindy Pate of South Gate applauded Commissioner Buzzett for his comments on separation between City and County and for Commissioner Lowry's ability to say that he did not feel that it was his place to share opinions or vote on this issue. Ms. Pate spoke, from a personal level, on her dealings with Mr. Creel as a building inspector. She noted that she may not have always agreed with him but his decisions were always for the safety and quality of their home. Ms. Pate had a number of subs working for them during the addition to their home. She noted that subs would always speak very highly of Mr. Creel and his standards. Ms. Pate shared they are remodeling a building on Reid Avenue and facing a lot of issues. She feels that the City has its own individual issues and that is what needs to be dealt with; these unique issues cannot be dealt with on the County level as they have their hands full just keeping properties from falling into the Gulf. Ms. Pate would like to be included in any meetings concerning this issue or changing the current contract with Mr. Creel. Ms. Pate stated that he is a phenomenal man as a person and an individual of high integrity. She suggest that any Board members that have had any conflicts with Mr. Creel over his decision not sitting well with them, abstain from voting on this issue.

Commissioner Ashbrook wanted to go on record as saying when this was first brought up, he had no feelings one way or another; he has worked with Bo and feels he does a great job. This is the first he has heard of ISO Ratings and thinks before any decisions are made the Commission needs to weigh what it is going to cost the citizens. We may save them some money up front with an inspection but their insurance cost may go way up. He does not want to give it to anyone. He feels if any changes are made, it should be a fair process, an RFQ should go out, and then weigh it all out. He is not prepared to make a decision on this to just give it to the County.

Commissioner Buzzett shared an analogy of giving up things and losing control and said it would take a lot to get him to change his mind to give this to the County.

Code Enforcement – Mayor Patterson stated he brought this up in a previous Budget Workshop and did not think we were getting the consistency we needed. Currently, we are getting 20 hours of work per week and during the 20 hours the offices has to do paper work which cuts his time in the field. He suggested that we go to 28 hours a week and stated that he and the Code Enforcement Officer had met and discussed this, came up with a plan, pay amount, agreement to work a couple of Saturdays a month and give consistency. The Code Enforcement Officer will take a little less pay, work every other Saturday and listed other days that he will work. This accomplished what Mayor Patterson wanted to do and provides for our citizens. He asked if this was something the Commission needed to vote on or just follow it through when it comes about.

Mr. Anderson responded this is actually changing somebody's pay and their actual job duties and should be handled by Staff level. He noted that Section 28 of the City Charter refers to this as being handled by staff level, that we pride ourselves in Customer Service and if we put Mr. Burkett in a car all day long you will have to provide computer items, buy an air card, and provide an office. This is a lot more money and an old car that is 15 years old.

Mayor Patterson responded that he and Mr. Burkett had worked out a deal. If Staff has to do it, that is fine but he and Officer Burkett talked, they just discussed things and he went to Mr. Anderson and told him exactly what they had discussed. He doesn't know why Mr. Anderson didn't tell him that day and now he is telling him that it's a staff job. Mayor Patterson stated that he and Mr. Anderson would discuss this at another time.

Commissioner Buzzett reminded Mayor Patterson that the Commission sets policy and the City Manager does the hiring, and firing per the City Charter, and that Commissioners can't go out and negotiate with any employee about their salary or who to hire or fire.

Mayor Patterson questioned why he could not go out and talk with employees as he was the mayor and was voted on by over 60% of the people and he was tired of being treated like nothing.

Commissioner Buzzett noted that Mayor Patterson had one vote just like everyone else.

Mayor Patterson stated that he needed an office in City Hall.

Commissioner Buzzett reminded Mayor Patterson that he had an office in City Hall and currently has one at Ward Ridge.

Mayor Patterson responded that the one at Ward Ridge wasn't any good. He stated that he and Commissioner Buzzett could get into trouble with Commissioner Buzzett belittling him, and they would discuss this later. Mayor Patterson questioned if an office at Ward Ridge was good enough for the Mayor and stated we would get on with the meeting.

Waste Pro Contract – Commissioner Ashbrook will be meeting with Waste Pro while at the Florida League of Cities Conference and would like to see the current contract enforced.

Public Works – John Grantland shared that the Port St. Joe High School Lift Station was up and running.

Commissioner Lowry expressed his appreciation to Mr. Grantland and the crews that have worked on this project.

Surface Water Plant – Larry McClamma

Clarifier Painting – Request to Bid: A Motion was made by Commissioner Buzzett, second by Commissioner Ashbrook, to advertise for this work. All in favor; Motion carried 4-0.

Wastewater Plant – Kevin Pettis was running the plant and unable to attend the meeting.

Finance Director – 2017 -2018 Budget Update Mike Lacour provided a revised Budget Sheet for Commissioners to be reviewing before the Workshop on August 24, 2017, at Noon in the Commission Conference Room at City Hall. He also reviewed several changes that have been made to the budget.

City Engineer – Clay Smallwood, III

Project Update –

Frank Pate Park Boat Ramp Improvements – Workers are putting the cap on the South wall today, several small things are going on, and he anticipates finishing up after Labor Day.

Long Avenue Water / Sewer / Road Paving – Bids for the waterline replacement are due on August 31, 2017, and Mr. Smallwood anticipates having project figures for the second meeting in September.

Jones Homestead Sewer – Dewberry / Preble–Rish continues to engineer the sewer lines for the project.

Code Enforcement -

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

Police Department – Chief Matt Herring shared that Officer Caleb Kesterson has accepted a position with the Bay County Sheriff's Department and his last day with the City will be August 24, 2017. He will be making more money per month and rent is much cheaper there. Chief Herring encouraged anyone interested in the position with the City of Port St. Joe to submit an application.

City Clerk – Charlotte Pierce shared the proposed dates for Ghost on the Coast – Tuesday, October 31, 2017, and Christmas on the Coast – Saturday, December 9, 2017, with the Commission. Consensus of the Commission was that these dates were good and to proceed with the events.

Citizens to be Heard –

Christy McElroy shared the success of her church's involvement with the Gulf County Public Library and transporting students to the library for summer reading activities.

Ms. McElroy shared her concerns about a City Employee receiving a salary of \$3,434 while on County business and not working at their City job. She felt that the employee's Annual and Sick leave should be used as citizens and taxpayers are not receiving dividends from this.

Ms. McElroy noted her third issue would be controversial, she was tired of attending meetings where the Mayor attacks people and understood why the Mayor was so interested in Medical Marijuana. Ms. McElroy held up a picture for the Commission to view.

Mayor Patterson responded that she would be sued for this because you couldn't tell him what it was and asked that the attorney make a note that she said something about him she could not prove.

Ms. McElroy responded to sue her, she did not say anything and suggested that Mayor Patterson needed to attend anger management.

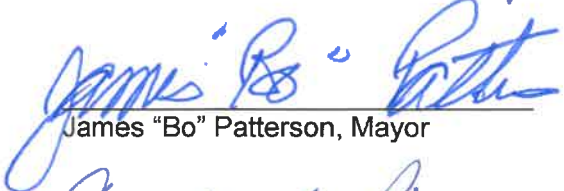
Mayor Patterson stated that today is the first day that he had let his anger get to him.

Discussion Items by Commissioners

Neither *Commissioners Buzzett, Lowry, Ashbrook* nor Mayor Patterson had anything to discuss.

A Motion was made by Commissioner Lowry, second by Commissioner Ashbrook, to adjourn the Meeting at 1:32 P.M.

Approved this 5th day of September 2017.


James "Bo" Patterson, Mayor

9/5/2017
Date


Charlotte M. Pierce, City Clerk

9/5/17
Date

Exhibit A

A Public Records photo was submitted by Christy McElroy. The photo is on file at City Hall.