

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT
2775 GARRISON AVENUE, January 7, 2020, at Noon.**

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

CONSENT AGENDA

Minutes

A Motion was made by Commissioner Ashbrook, second by Commissioner Hoffman, to approve the Minutes of the Regular Meeting on December 17, 2019. All in favor; Motion carried 5-0.

Mayor Buzzett welcomed the new City Attorney, Clinton McCahill.

Attorney McCahill thanked Mayor Buzzett for his remarks.

As required by Form 8B – Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers, Attorney McCahill noted that at the December 17, 2019, City Commission Meeting, Commissioner David Ashbrook abstained from voting on Ordinance 566 and Ordinance 567 because he is employed by Tapper and Company Properties Management, Inc., which David and Patricia Warriner own. A copy of his Form 8B is attached to the Minutes of the December 17, 2019, Meeting.

Attorney McCahill also noted that at the December 17, 2019, City Commission Meeting Commissioner Brett Lowry abstained from voting on Ordinance 565 because of his business relationship with Ralph Rish. A copy of his Form 8B is attached to the Minutes of the December 17, 2019, Meeting.

Building Department Update – Quarterly

Mayor Buzzett noted that he was pleased to see that permits for 27 new family structures and 30 residential re-roofs had been applied for between October 1, 2019 and January 1, 2020.

Long Term Recovery Committee - No committee member was present for the meeting.

PSJRA Update – Due to the illness of Executive Director, Bill Kennedy, the monthly meeting of the PSJRA was not held today. PSJRA Chairman, David Ashbrook, reminded the committee of their Workshop next Tuesday at noon.

City Attorney –

Ordinance 565 Small Scale Plan Amendment – SRS Land Co., LLC; Parcel ID No. 04594-030R: 2nd Reading and Consideration of Adoption:

Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to have the Second Reading of Ordinance 565. Commissioner Lowry stated that he was abstaining from voting on the issue as he has a business relationship with Ralph Rish. Motion carried 4-0 with Commissioner Lowry abstaining. A copy of his Form 8B is attached to the Minutes.

Attorney McCahill read ordinance 565 in its entirety.

A Motion was made by Commissioner Langston, second by Commissioner Hoffman, to Adopt Ordinance 565. Commissioner Lowry stated that he was abstaining from voting on the issue as he has a business relationship with Ralph Rish. Motion carried 4-0 with Commissioner Lowry abstaining. A copy of his Form 8B is attached to the Minutes.

CITY MANAGER'S REPORT – Jim Anderson

Old Business

Government Complex Grant Update – Mayor Buzzett shared that he spoke with Dave Harrelson of the St. Joe Company this morning. They ordered appraisals in November and are still waiting on them. Mr. Harrelson expects to have something soon on this.

New Business –

FDEM Grant Award – Mr. Anderson noted that the City has been notified that FDEM is providing a \$1,000,000 Revenue Loss Grant to the City. Several other grant applications are ongoing and Mr. Anderson feels that all grants should be reviewed to see what the best use of funds is.

Cell Tower Request on City Property – Vertex Development

City Staff could not recommend this request at this time due to a sewer lift station being on the property and it is in the Windmark DRI.

Public Works – John Grantland shared that lights have been installed at the Washington Gym, the traffic cabinet on First Street is being replaced today, he anticipates the walking bridge will be completed within two weeks, repair of driveways in Jones Homestead and the Oak Grove Lift Station will begin shortly. He also noted a tap will be made for Danny Raffield at Captain's Cove Marina, and work on the Seventh Street Alley will begin in the next several weeks.

Mr. Grantland requested that he be allowed to advertise for five vacancies in his department. There were no objections to his request.

Surface Water Plant – Larry McClamma was running the plant today and could not attend the meeting. Mr. Anderson shared that the plant is working on the reuse pilot program and all new filters are installed.

Wastewater Plant – Kevin Pettis noted that all stainless filters have been installed, the Grit Kings are running, and spraying is being done at the Spray Fields.

Finance Director – Mike Lacour continues to work with our insurance carrier and FEMA on hurricane damage. The playground at Frank Pate Park has been repaired, and he suggested that the STAC House Playground repairs might qualify for grants.

Commissioner Langston requested that quotes be obtained for windows at the Washington Gym, for repairing of the Washington Gym Tennis Court, and that a fence be installed at the tennis court.

City Engineer – Clay Smallwood, III

Trail Lighting / Upgrades Grant Update – Duke Energy Quotes

A Motion was made by Commissioner Ashbrook, second by Commissioner Lowry, to reduce the number of lights on the trail to 15. All in favor; Motion carried 5-0. The grant will cover the \$7,880.66 for the lights and the City will be responsible for the estimated rental of \$154.31 per month.

Clifford Sims Park Paving – No starting date has been given as there have been some changes in company personnel.

Code Enforcement – No report necessary.

Mayor Buzzett shared that he would like to see all maps of the City digitized and he will be working with Dewberry to provide a cost for this service.

Police Department – Chief Matt Herring did not have anything on the Agenda to discuss.

City Clerk - Charlotte Pierce

Newspaper Ad – Clerk Pierce noted the ad from the City that ran in the January 2, 2020, edition of the Star and thank Robin Hoxie for help with the ad.

Citizens to be Heard –

Christy McElroy wished the Commissioner a Happy 2020 and shared her concerns about lights on the walking trail, issues with animal control, and dogs running loose. She thanked Chief Herring for having diversity in the Port St. Joe Police Department.

Joe Whitmer introduced himself as the Executive Director of the Gulf County Chamber of Commerce. He noted the chamber is in the process of rebuilding and rebranding, they will be assisting with the Scallop Festival. The event, Blues in the Lot, has been renamed Blues on Reid, and he invited the Commissioners to an upcoming seminar.

Marvin Davis asked about the status of the Gateway Expansion Project. Mayor Buzzett replied that the City has not received anything from Gateway addressing the issues the City has with the expansion.

Mr. Davis also noted that trash is piling up on Avenues A and G. Mr. Anderson shared that charges are being added to the water bills for trash pickup. He noted there is a \$25 charge for Code Enforcement plus the cost of dumping and encouraged everyone to take their trash to the landfill.

Commissioner Langston requested that a break be given to seniors that have no way of transporting trash.

Letha Mathews invited the Commissioners to the annual MLK Parade and festivities on Monday, January 20, 2020. Mayor Buzzett asked that the flyer with this information be added to the City's website and Facebook Page.

Discussion Items by Commissioners –

Commissioner Hoffman requested that City Staff check into qualifying by petition rather than paying a fee when seeking election to the City Commission. He also asked about 4 year terms for Commissioners rather than 2 and stressed that it would not extend the term of the current Commissioners but begin with the next term. This is to be on the Agenda for the next Commission Meeting.

Commissioner Hoffman would like for the City to request the TDC pay for the following improvements in the City. Washington Gym and Softball Field and a new Tennis Court \$150,000; lights for a new Tennis Court \$150,000.

He asked about TRIUMP Funding for the Commercial District and Mr. Anderson responded that most of the work has already been done but he is working with City Engineer, Clay Smallwood on the project.

Commissioner Lowry inquired about the status of the bathroom at the WIG Building. It was noted that the repairs required the expertise of a plumber and one had been hired to resolve the issues.

Commissioner Ashbrook shared that he understood there could possibly be TRIUMP Funding to offset AD Taxes and Impact Fees. He noted complaints about trash pickup times. Mr. Anderson responded that the contract sets 5 A.M. as the earliest pickup time. He also wished everyone a Happy New Year.

Commissioner Langston asked about the process to have the railroad tracks on Highway 71 and on Avenue A declared exempt so busses and other service vehicles would not be required to stop there.

Commissioner Langston also inquired as to what can be done to stop illegal turns being made into McDonald's and Hungry Howie's areas to avoid an accident. Chief Herring and John Grantland will work on this issue.

He also noted that yard debris pickups by BCC is an issues and asked for help with this.

Mayor Buzzett shared that citizens are asking that the Police Department be housed back at City Hall. He noted it has been remediated, given a clean bill of health, and the possibility of a new City Hall complex is a long way off. He requested that this be on the next Agenda to allow staff to go out for bid.

Motion to Adjourn

A Motion was made by Commissioner Hoffman, second by Commissioner Langston, to adjourn the meeting at 1:05 P.M.

Approved this 21st day of January 2020.

Rex Buzzett
Rex Buzzett, Mayor

1/21/20
Date

Charlotte M. Pierce
Charlotte M. Pierce, City Clerk

1/21/20
Date

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Lowry Brett Charles</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Port St. Joe Board of City Commissioners
MAILING ADDRESS <i>134 Gulf Coast Circle</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Port St. Joe, FL	COUNTY Gulf
DATE ON WHICH VOTE OCCURRED <i>1/7/2020</i>	NAME OF POLITICAL SUBDIVISION: City of Port St. Joe
	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Brett Lowry, hereby disclose that on Jan 7th, 20 20:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I have a business relationship with Developer Mr. Rish.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

1/7/20
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.