

MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT 2775 GARRISON AVENUE, April 20, 2021, at Noon.

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

CONSENT AGENDA

Minutes

Attorney Clinton McCahill read Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers completed by Commissioner Brett C. Lowry for the April 6, 2021, meeting where he abstained from voting on Ordinance 586 Long Avenue North a/k/a Palmetto Bluff and the Final Platt Approval of Ridgewood At Palmetto Bluff as he is a business partner of the developer, Ralph Rish. A separate form for each abstention was completed and attached to the Minutes of April 20, 2021.

A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to approve the Minutes of the Regular Meeting of April 6, 2021, the Special Meeting of April 8, 2021, and the Joint City / County Workshop of April 13, 2021. All in favor; Motion carried 4-0.

City Attorney –

Ordinance 589: Mobile Home on Avenue E Update

LaTonya Gainer and Willie Mae Williams shared that the trailer would be repositioned on the lot owned by Ms. Williams and that after a modification to the trailer, there would be a door facing the road as required.

The Commission asked Attorney McCahill to make several changes to the Ordinance and bring the revised version back to the them at the next meeting.

Sale of Water to Gulf County Contract

A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to approve the Agreement for Sale of Water to Gulf County. All in favor; Motion carried 4-0

Old Business –

Coronavirus (COVID-19) Update; Resolution 2020-02 – State of Emergency. Currently still in place.

Mayor Buzzett shared that 50% of citizens over 50 have received the vaccination, and 60% of citizens over 65 have received the vaccination. He also noted that the Washington Gym had been used as a site for the vaccinations to be given.

New Business –

RFP 2021-06 Long Avenue Water and Sewer Improvements

A Motion was made by Commissioner Langston, second by Commissioner Ashbrook, to award RFP 2021-06 to L and K Contracting, Inc., in the amount of \$4,170,650.58, plus \$80,000 for the Stormwater Alternate Bid Proposal. All in favor; Motion carried 4-0. This will be an 80 – 20 Grant / Loan for the Sewer and a 54 – 46 Grant / Loan for the Water. Total Grant funds will be \$2,925,052 and the Loan amount will be \$1,245,598 pending approval from the State Revolving Fund. Stormwater improvements will need to be paid directly by the City in the amount of \$80,000.

Travel Trailers on Homes Sites Destroyed by Hurricane Michael – Mayor Buzzett

After discussion, the Commission requested that Attorney McCahill draft a Resolution to be brought to the Commission at the May 4, 2021, Meeting. Items are to include that the home must have been destroyed by Hurricane Michael; this policy will be in place for 1 year; their driver's license must have a Port St. Joe address; there must be a signed building contract; a Building Permit must have been obtained; from the time the travel trailer is placed on the lot, the owner is allowed 18 months to complete construction; the travel trailer must be placed on the rear of the lot; impact fees must be paid; hook up to City water and sewer, as well as garbage service must be obtained; and a signed affidavit, stating the owner is aware of the requirements, must be provided.

Robert Branch asked if trailers or travel trailers would be allowed on home sites. The Commission stated it would be travel trailers only.

Christy McElroy shared her concerns about the number of trailers in Gulf County, the issues they will cause with Hurricane evacuations, and encouraged the Commission to adhere to strict guidelines.

City Hall Parking Lot

A Motion was made by Commissioner Hoffman, second by Commissioner Langston, to post signs in the City Parking Lot behind City Hall stating City Employee Parking Only. All in favor; Motion carried 4-0. Frequently there is no parking available for employees and this will be to provide parking for all City employees during work hours.

DEO Mitigation Workshop on Thursday, April 22, 2021 at 5:30 P.M.

Mr. Anderson reminded the Commission of the meeting Thursday.

Request to Bid Ballfield Dugouts – Commissioner Hoffman

Mayor Buzzett read a letter from Gulf County Commission Chairman Sandy Quinn stating "At our Special Meeting on April 19, 2021, the Gulf County Board of County Commissioners unanimously voted to repair the twelve (12) dugouts located at the 10th Street Park and the Washington Gym. The Board is requesting a Memorandum of Understanding from the City to provide the labor and materials to complete this project." A copy of the letter is attached to these minutes as Exhibit 1.

A Motion was made by Commissioner Hoffman, second by Commissioner Ashbrook, to sign a Memorandum of Understanding that there would be no cost to the City for labor or materials. All in favor; Motion carried 4-0.

Current City Projects

There were no questions or concerns about the current projects and Mayor Buzzett noted the projects were looking good.

Public Works – John Grantland

City Pier Benches

Mr. Grantland noted that, in the past, the benches were around the railings and created problems for people. The new benches will be in the interior with one bench facing North and the other facing South. The Commission did not have any objections to the placement of the new benches.

Cheryl Steindorf questioned what working with FEMA meant and Mike Lacour explained that the costs had not been finalized by FEMA at this point.

Surface Water Plant –

In the absence of Mr. McClamma, Mr. Anderson shared that the filters are in, they will be installed tomorrow, and work continues on the Clarifiers Rehab.

Mr. Anderson provided a handout from CareerSource requesting funding for repairs to the Reading room flooring; Carpet in the Likely Room; paint for exterior doors for the Museum, WIG, CRC, Likely Room, and Gym areas; paint for lower half of Washington Gym, and to fill concrete cracks. All of these areas are used by them.

A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to provide \$4,500 to be used for this request and stipulated that funds are to be spent local when possible. All in favor; Motion carried 4-0.

Mr. Anderson shared that the Auburn Students will be here in May.

Wastewater Plant – Kevin Pettis

Mr. Pettis noted there is 2' of free board in the pond, the plant is in the maintenance mode, and they are assembling filters. Mr. Pettis has ordered a Sonic Disrupter which works well with the bugs on the bottom of the pond. He stated that the Consent Order expires in August.

Finance Director – Mike Lacour

Mr. Lacour announced that the installation of the pay station at the boat ramp is scheduled for April 28, 2021.

City Engineer – Josh Baxley had to leave the meeting for another meeting and Mr. Grantland shared the following information.

NRDA Stormwater Grant Update

NWFWMD provided a RAI on April 16, 2021, and Dewberry is working to provide a response to the comments. Dewberry expects to have the comment response prepared by the first of May.

Walking Path FDOT Grant Update

The project is under construction.

CDBG Project Update

The contractor is currently prepping the pipe for bursting. Bursting is anticipated to begin the week of April 26, 2021.

First Street Lift Station and Long Avenue Water / Sewer Projects

Dewberry has reviewed the bid packages and provided the City a recommendation of award.

NRCS Debris Removal Update

This project started on April 19, 2021.

Code Enforcement –

Ruby Farmer Property Parcel #05700-000R Special Master Order and Bid Award for Demo

Tan Smiley shared that his sister would be putting the property up for sale.

After discussion, a Motion was made by Commissioner Hoffman, second by Commissioner Ashbrook, that Ms. Farmer had 6 months from today to either bring the property up to Code, take it down, or sell it. If the property is sold, the new owner will be responsible for these issues. All in favor; Motion carried 4-0

Police Department – Chief Richards

Chief Richards noted the truck purchased with JAG and Police Department Funds arrived today. He shared that Officer Jeremy Chase began working with the department yesterday.

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Lowrey 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:
CITY Port St. Joe, FL	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
COUNTY Gulf	NAME OF POLITICAL SUBDIVISION: City of Port St. Joe
DATE ON WHICH VOTE OCCURRED <i>4/6/21</i>	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 C. Lowry, hereby disclose that on April 6th, 20 21:

(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, Ralph Bish;
- 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:

"Decker is a partner in a business."

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.

4/6/2021
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.

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Date Filed 4/6/2021

Signature [Signature]

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BOARD OF COUNTY COMMISSIONERS GULF COUNTY, FLORIDA

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DATE & TIME OF MEETINGS: Fourth Tuesdays at 9:00 a.m., E.T.

April 19, 2021

City of Port St. Joe
Mayor Rex Buzzett
P.O. Box 278
Port St. Joe, Florida 32457

RE: Park Repairs

Dear Mayor,

At our Special Meeting on April 19, 2021, the Gulf County Board of County Commissioners unanimously voted to repair the twelve (12) dugouts located at the 10th Street Park and the Washington Gym. The Board is requesting a Memorandum of Understanding from the City to provide the labor and materials to complete this project.

Should you have any questions please contact me.

Sincerely,



Sandy Quinn
Chairman

City Clerk – Charlotte Pierce

Grants Update

Clerk Pierce shared that City Staff continues to work with the grant writer on possible grants.

Citizens to be Heard – No one wished to address the Commission.

Discussion Items by Commissioners –

Commissioner Langston feels that the Commission is trying to do what is right for the City and not take from people. He thanked Code Enforcement and the Code Enforcement Magistrate for the good job they are doing. Commissioner Langston also shared his concerns about the traffic situation with the lights in front of McDonalds. Mr. Anderson and John Grantland will talk with FL DOT concerning this issue.

Commissioner Ashbrook did not have anything else to discuss with the Commission.

Commissioner Hoffman asked that FL DOT be contacted to see why it is taking so long for the Crosswalk on Highway 98. Mr. Grantland replied that Traffic Opts wanted a 6' concrete pad for the lights, but will give the equipment to the City to install.

He shared that Fish and Wildlife will be making upgrades to Buck Griffin Lake. They will be donating 2 feeders, 1 aerator, stock the pond, control the vegetation, and will do an annual evaluation of the project. They have asked the City to buy a couple of bags of food each week and have a fishing tournament for children at the lake.

Commissioner Hoffman expressed his concerns with the County wanting to establish a Gulf County Water District. He noted that the City Water Plant was back up in less that 24 hours after Category 5 Hurricane Michael, false information is being sent to take over the water / sewer system, and a new water system would cause City residents' water / sewer / garbage bills to double if not triple.

He requested that a letter be sent to FEMA and other agencies concerning the Mitigation Plan for the County and that they are attempting to hold the City hostage over the annexation of property owned by the City. Commissioner Hoffman encouraged everyone to see the County's Website for information about them attempting to establish a Water District.

Mayor Buzzett asked that a letter be sent to DEO, DEP, and the Water Management District concerning the Water District the County is trying to establish. He noted that this item is on the County's Agenda for their meeting Tuesday.

Mayor Buzzett requested that he and Mr. Anderson be the point persons to notify all agencies where the City stands on the Water District issue and to do whatever is necessary to protect the City. Consensus of the Commissioner was for both of them to be the contact persons. He also noted that the County is in White City today drilling a well for the proposed district whether they had received authorization to drill the well or not.

Mayor Buzzett referenced a news paper article where Water and Sewer rates are increasing on Panama City Beach and noted that other adjoining areas are increasing their rates.

Motion to Adjourn –

There was no other business to come before the Commission and Mayor Buzzett adjourned the meeting at 2:05 P.M.

Approved this 4th day of May 2021.

Rex Buzzett
Rex Buzzett, Mayor

5/18/21
Date

Charlotte M. Pierce
Charlotte M. Pierce, City Clerk

5/18/21
Date