

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT
2775 GARRISON AVENUE, August 6, 2024, at Noon.**

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

CONSENT AGENDA

Recognition of Port St. Joe Angels 10U Softball Team Recognition

Mayor Buzzett recognized the Port St. Joe Angels 10U Softball Team and congratulated them on their District, Regional, and State victories which allowed them to represent the State of Florida in the National Championship. He shared the Angels lost their final game at the National Championship by a score of 1-0. Mayor Buzzett thanked the young ladies for representing Port St. Joe with class, humility, and integrity.

Mayor Buzzett requested a 5 minute recess at 12:05 P.M., for the team members and their guests to leave the meeting if they would like to.

The meeting resumed at 12:08 P.M.

Minutes

A Motion was made by Commissioner Kerigan, second by Commissioner Langston, to approve the Minutes of the Regular Meeting of July 16, 2024, and the Workshop Meetings of July 16, 2024, July 23, 2024, and July 30, 2024. All in favor; Motion carried 5-0.

City Engineer

City Street Resurfacing

90% Plans have been submitted to FDOT for their review. Any comments from FDOT will be addressed by Dewberry.

City Government Complex

The Master Plan has been provided to the architect and the Engineers are working on a revised price.

Monument Avenue

This project is out for bid.

Beacon Hill Sewer

Dewberry is awaiting as-built revisions.

Allen Memorial Way SCOP Grant

This project is out for bid.

Downtown Utilities Phase 2

The project was started on July 15, 2024, and Mr. Baxley is working with Mr. Grantland on this.

HMGP Grant – Elevation of 12 Lift Stations

No bids were received for this project, and it has been readvertised.

2nd Street Parking Conceptual Design

The project is under construction, a site visit will be made this week, and all that remains for the project are striping and signage.

Wastewater Sprayfield Expansion CEI

This project is in progress and there does not appear to be any issues with it.

Pipe Replacement Under the Ballfields – Task Order

Mr. Baxley presented information concerning replacing the current 48" pipe with another 48" pipe or going to a 60" pipe. There would be a slight difference in cost and a 60" pipe would require a permit.

A discussion was held by the Commissioners, Christy McElroy, Robert Branch, and Jim Martin, shared their thoughts.

A Motion was made by Commissioner Hoffman, second by Commissioner Kerigan, to approve the Task Order not to exceed \$25,000 with Dewberry to replace with a 60" pipe. All in favor; Motion carried 5-0.

City Attorney.

Attorney McCahill did not have anything specific for the Commission today.

Old Business

City Projects

Mr. Anderson shared that the Clifford Sims Park Project is in the final stages, the First Street Tie In Phase I Downtown Water Lines is close to completion, and the Centennial Building looks very, very nice.

New Business

Ralph Rish

There was a very lengthy discussion on providing sewer for two projects that Mr. Rish is involved in, The Chateau and Salt Pine. Salt Pine has 16 lots of the 100 in the development that are in the City and none of the Chateau's 52 to 94 lots in the development are in the City.

Neither project has been presented to the PDRB for consideration and recommendation to the City Commission. Annexation was discussed in a previous meeting with Mr. Rish and he stated that he had no issues with it, he discussed annexation with the developer and they did not object either. When presented to the County Administrator, he objected to annexation.

Concerns about the project are the City's capacity for sewer, pre-paid taps already purchased, and making sure development within the City has the needed sewer capacity.

A Motion was made by Commissioner Lowry, second by Commissioner Hoffman, to provide sewer to all lots in Salt Pine and not require annexation. Voting in favor of the Motion were Commissioners Lowry, Hoffman, Kerigan, and Langston. Voting against the Motion was Mayor Buzzett. Motion passed 4-1.

A Motion was made by Commissioner Hoffman, second by Commissioner Kerigan, to provide sewer to The Chateau and not require annexation. Commissioner Lowry stated that he would be refraining from voting on the issue because he has a business relationship with both Ralph and Grant Rish and Grant Rish is a cousin of his. Commissioner Lowry completed Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers and it is attached as Exhibit A. Voting in favor of the Motion were Commissioners Hoffman, Kerigan, and Langston. Voting against the Motion was Mayor Buzzett and Commissioner Lowry abstained from voting. Motion carried 3-1.

2024-2025 Budget Update

Other than an additional request from the Humane Society, no changes have been made to the proposed budget.

Insurance Agent, Dwight Van Lierop, continues to work on health insurance for the coming year.

Public Works – John Grantland

Request to Purchase E88 Excavator on State Contract

A Motion was made by Commissioner Kerigan, second by Commissioner Langston, to purchase an E88 Excavator in the amount of \$105,300.76 on state contract. Funds are in the current budget for the purchase. All in favor; Motion carried 5-0.

Surface Water Plant – Larry McClamma

Raw Pump # 3 Emergency Repair

A Motion was made by Commissioner Lanston, second by Commissioner Lowry, to declare this an emergency situation and approve repairs in the amount of \$30,455 with AAG Electric for the pump. All in favor; Motion carried 5-0.

Wastewater Plant – Kevin Pettis

Mr. Pettis shared there is 14 ½" of freeboard in the lagoon, Zone 3 Sprayfield flattening and leveling work is progressing, and \$1.5 million has been escrowed for filtration.

Finance Director – Mike Lacour

FEMA

Mr. Lacour noted Clifford Sims Park has been completed, he is working on closeout of the project, and expects to have it completed by the end of the week.

Grants Reimbursement Updates

Reimbursement has been requested for the H & H Study and the FDOT Phase I Project. There are some issues with the Beacon Hill Project, and he is working on that.

Code Enforcement

Demo Request – George Williams, 255 Avenue B – Parcel #05759-000R

A Motion was made by Commissioner Lowry, second by Commissioner Kerigan, to approve the demo requests and to ask the County to assist with the demolition and lien the property for cost associated with the work All in favor; Motion carried 5-0.

Police Department – Chief Richards

Surplus Property Request

A Motion was made by Commissioner Kerigan, second by Commissioner Langston, to declare surplus radar units from the FHP that were given to the City and make available to the FSU Panama City Campus. All in favor; Motion carried 5-0. A list of the items is attached as Exhibit B.

City Clerk – Charlotte Pierce

Current Grants Update

Clerk Pierce noted there were no new grants and City Staff continues to work on compliance of existing grants.

Citizens to be Heard

Chester Davis thanked the Commission for taking down the houses that were in disrepair and asked that several more be looked at. Mr. Anderson shared that the property owners will have to make the request to the City if they are interested in the demolition of their property.

Robert Branch asked why the last several Budget Workshops were not televised, wanted to know the amount of FEMA Funds available, and the amount of money set aside for the Field of Dreams. Mr. Anderson responded that no funds have been set aside for the Field of Dreams.

Charles Gathers requested that the City consider placing a Splash Pad at the Washington Recreation Center. Mayor Buzzett responded that Core Park has been selected for a Splash Pad, if or when funds are available, as it is more centrally located for everyone.

Christy McElroy inquired about COVID Funds that were earmarked for the Field of Dreams.

Jimmy Garcia stated the sound system is an issue as people attending cannot hear what is being discussed. He has concerns about the new Wastewater Treatment Plant and asked if a study has been done. Mayor Buzzett shared that the County received \$30 million last year for an Advanced

Wastewater Treatment Plant. Mr. Garcia is also concerned about the additional traffic the Rish Developments will bring and the already existing parking issues.

Discussion Items by Commissioners

Neither Commissioners Langston nor Kerigan had any additional items to discuss.

Commissioner Lowry shared that he and Mr. Anderson have been talking with Ron Reed about the possibility of getting some footage on the Duren Property that would help clean up the alleyway that is next to their property.

Commissioner Hoffman asked about the closing date for bids for the surplus vehicles. Clerk Pierce responded that it is August 9, 2024.

Mayor Buzzett did not have anything else to discuss with the Commissioners.

Motion to Adjourn

There was no other business to come before the Commission, Mayor Buzzett adjourned the meeting at 2:00 P.M.


Approved this 3rd day of September 2024.



Rex Buzzett, Mayor

9/3/2024

Date



Charlotte M. Pierce, City Clerk

9/3/24

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:	
CITY Port St. Joe, FL 32456	COUNTY Gulf	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED <i>Aug 6th, 2024</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 C. Lowrey, hereby disclose that on Aug 6th, 20 24:

(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 / Grant Bish;
- inured to the special gain or loss of my relative, Grant Bish;
- 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 both Ralph & Grant Bish.

- Grant Bish is a cousin of mine.

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.

Aug 6th, 2024
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.



The City of Port St. Joe

Exhibit B

July 29, 2024

To: Mr. Jim Anderson, City Manager; Board of City Commissioners

From: Chief of Police Jake Richards *JR*

Re: Surplus property and transfer of surplus property

The Police Department would like permission to make these four (4) radar units surplus property, be allowed to transfer them to Florida State University (Panama City Campus) Police Department.

Stalker II Property # 6198

Stalker II Property # 6199

Genesis Property # 6200

Genesis Property # 6201

These Units were transferred to PSJPD by Florida Highway Patrol, and we have no need for them as we have new Radar Units.

Chief Jake Richards
Port St Joe Police Department

*Approved by City
Commission 8/6/24
C. Pierce*