MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD IN THE COMMISSION CHAMBERS AT CITY HALL, May 17, 2011 AT 6:00 P.M.

The following were present: Mayor Magidson, Commissioners Gingell, Johnson, Stephens and Buzzett. City Manager Charlie Weston, Attorney Tom Gibson and City Clerk Jim Anderson were also present.

Garden Week Proclamation:

Mayor Magidson presented a Proclamation to Mary Harrison, Frenchie Ramsey and Elaine Jackson representing the Garden Club, declaring June 5-11 Garden Week in Port St Joe.

Recognition of Ecoseascape - Gazebo Project:

Mayor Magidson presented a Certificate of Appreciation to Doug Anderson of Ecoseascape for donating his services to the project. Mr. Anderson noted that St. Joe Hardware and Bobby James also contributed to make this project possible.

Consent Agenda:

Motion by Commissioner Johnson, 2nd by Commissioner Stephens, to approve the Minutes for the April 14, 2011, Workshop and the May 3, 2011, Regular Meeting with corrections. All in Favor; Motion carried 5-0.

City Attorney, Tom Gibson:

BP Claim Update:

Attorney Gibson noted that the attorneys representing the City have a conference call scheduled at the end of the week with BP Claim Representatives.

Resolution 2011-04 Roadside Beautification:

Motion by Commissioner Buzzett, 2nd by Commissioner Gingell, to approve Resolution 2011-04. All in Favor; Motion carried 5-0.

Gulf Pines Hospital Update:

Attorney Gibson noted that three parties are left in the Gulf Pines Lawsuit that includes the City, IRS and the Receiver for Medical Capital. We are trying to get an Environmental Audit on the property. The Receiver has volunteered to pay for the study if the City will sign over the deed and let them continue on with the IRS. The audit should be ordered this week and take three to four weeks to complete. The IRS is willing to take less for their claim and we may have some interest from developers, but we will need to make a decision.

City Manager, Charlie Weston:

City Hall Dedication:

Mr. Weston indicated that we have two proposed dates, July 19th and August 2nd prior to the Regular Commission Meetings.

Mayor Magidson requested that each commissioner review our options for a quote to be inscribed under the picture of T.H. Stone.

Commissioner Stephens noted that if we are considering something like a Bronze Plaque that we would need to allow six to ten weeks for delivery.

Mayor Magidson requested Mr. Weston to research our options.

Langston Drive:

Mr. Weston noted that David B. Langston Drive is all but complete and looks great. The sod work should be completed by the end of next week.

Frank Pate Park:

Mr. Weston has met with Kerigan and Associates on the proposed sign. The initial research indicates that the sign will be very expensive. He will have an update at the next Commission meeting.

Planning Board recommendations:

Jim Anderson read the Planning and Development Review Board Recommendations from the meeting held on May 17, 2011 at 3:00 for the Commission to consider. See attached Ex. (A).

First Baptist Church Development Order Request:

No one from the Public spoke

Motion by Commissioner Johnson, 2nd by Commissioner Gingell, to approve the PDRB recommendation of issuing a Development Order to First Baptist Church. This will be contingent upon a Utility Easement & Hold Harmless Agreement and that the parking lot be level, free of any structures and allow for Boat Trailer Parking. All in Favor; Motion carried 5-0.

Request for Reduction of Impact Fees- First Baptist Church:

Commissioner Buzzett has a lot of respect for First Baptist Church, but can't support the request. Staff has been asked by the Commission to do more with less and he doesn't think that the City is in a position to grant a request that would cost the City approx. $23K.

Commissioner Gingell noted that we would be using every customer to subsidize the fees. The fee is to be used to maintain our infrastructure.

Commissioner Johnson indicated that the City recently refinanced its Bonds with Regions and pledged part of repayment with Impact Fees. He is not sure what would be required from Regions for approval.

Mayor Magidson noted that the Commission has set a presidence by waiving the fees for another church in 2008.

Commissioner Johnson responded, "The other church demolished (3) houses and replaced it with a 2"water line in 2008 before we lost Arizona Chemical."

Mayor Magidson indicated that the other church could have been held to a fee of approx. $11K.

Commissioner Gingell doesn't feel that using public funds for a private entity is an appropriate use of public funding. We certainly could allow the church to utilize the 36 mo. payment plan option.

Commissioner Johnson noted that part of the Utility Study was an increase in Impact Fees. The loan was approved based on the Rate Study.

Commissioner Stephens indicated that the church will not utilize the Water and Sewer Taps for approx. five years.

Commissioner Johnson noted that Impact fees could be higher in five years.

Dollar General/Joe Co. Development Order Request:

Matt Casin from Concept Design, who designed the building, gave a presentation to the Commission. The building will be 20,700 sq. ft. The exterior will be stucco above 11'4" with stucco on the sides and improvements to the landscaping. The sign will be 7' tall with an aluminum base.

Commissioner Buzzett noted that it appears the building will have advertising beside the windows on the front.

Mr. Casin responded, "Yes, vinyl banners will be on the front of the building."

Commissioner Gingell asked, "Can we get some type of relief on the side of the building?"

Mr. Casin responded, "Maybe some false windows, we are working with the Joe Co. and they need to give their approval as well."

Commissioner Gingell would like the PSJRA to review the plans and have Mr. Fleck's input.

Commissioner Buzzett would like to wait on approving the Development Order until everything is addressed.

Commissioner Johnson asked, "How many employees do they plan to have?"

Mr. Casin responded, "Approx. 30 to 40."

Commissioner Johnson doesn't want to hold up the project, we need the jobs, and maybe we should appoint a committee to review it.

Motion by Commissioner Johnson 2nd by Commissioner Stephens, to approve the Development Order for Dollar General conditional upon approval of a committee comprised of Commissioner Buzzett, Mr. Weston and Mr. Fleck and allow them signoff on the project once they are satisfied. All in Favor; Motion carried 5-0.

McDonald's Development Order Request:

Mr. Tim Chess, representing McDonald's, noted that the requested renovation will feature cultured stone on the front of the building with an expansion of 12' which equates to 380 sq ft. Staff size will also increase from 40 to approx. 60 or 65.

Mayor Magidson asked, "Will the expansion cause any issues with the parking lot?"

Mr. Chess responded, "No."

Motion by Commissioner Johnson, 2nd by Commissioner Stephens, to accept the PDRB recommendation to issue a Development Order for McDonald's. This will be contingent upon bringing their Commercial Sign out front (Golden Arches) into compliance with the LDR and receipt of a DEP Storm Water Exemption Letter and/or Permit. All in Favor; Motion carried 5-0.

Awarding of RFP 2011-04, Auditing Services:

Mr. Weston noted that the City has received three proposals and after a thorough and comprehensive review by the Audit Committee, the recommendation is to award the RFP to Vance CPA LLC.

Motion by Commissioner Buzzett, 2nd by Commissioner Gingell, to award the RFP 2011-04, Auditing Services to Vance CPA LLC based on the Audit Selection Committee recommendation. All in Favor; Motion carried 5-0.

City Letterhead:

Mr. Weston indicated that we are looking at the possibility of doing away with names pre-printed on City Letterhead.

Mayor Magidson noted that we have the potential for changes to be made every year to the names on the letterhead.

Motion by Commissioner Johnson, 2nd by Commissioner Gingell, to not order pre-printed letterhead with the Commissioner's name's on it. All in Favor; Motion carried 5-0.

Election Run-off:

Mr. Weston noted that the Run-off Election for the Commissioner Group II will be held June 8, 2011 at the Fire Station.

Recycle Program Update:

Mr. Weston indicated that Waste Pro has established a Recycle Program with drop off points at Public Works and the Transfer Station. Handouts were given to each of the Board Members for review.

Washington Gym Update:

Mr. Weston noted that the Workforce Board has received a grant from the duPont Foundation in the amount of $87K. Ms. Bodine will be at the next Commission Meeting to go over the details of the program. This will be in conjunction with our Summer Program with the County, City and Workforce Board.

Fishing Tournament:

No action taken.

Surface Water Plant:

Mr. Davis indicated that the quarterly Bi-Product Disinfectant Samples have been taken and the results should be back in the next few weeks.

Public Works, Flushing Program:

Mr. Grantland noted that fourteen Fire Hydrants have been replaced and one will be replaced tomorrow. He will be working with Preble Rish this week on the flushing program. The initial plan is to flush one street and review the results including the pipes on Monday.

Mayor Magidson asked, "Will we be doing proactive flushing as well?"

Mr. Grantland responded, "It will be based on complaints."

Commissioner Gingell noted that the Commission talked about asking approx. 75 people to give us feedback on the City Water Quality.

Mr. Weston indicated that we have had several meetings on this topic and are currently working on a Water Quality Survey. Code Red will be utilized to notify our citizens of the flushing. Long term we are looking at our CIP Plan and funding thru the State Revolving Fund.

City Engineer:

Awarding of RFP 2011-03, Madison St/Garrison Ave Multi-Path Engineering Inspector:

Mr. Clay Smallwood, III, noted that three bid proposals were submitted for the CEI RFP that will be 100% DOT Funded. Preble Rish's recommendation is to award the contract to Alday-Howell.

Commissioner Buzzett asked, "Does the project include replacing pipes on Niles Rd?"

Mr. Smallwood responded, "Yes, three pipes."

Commissioner Johnson asked, "Does Alday-Howell or Atkins have a local office."

Mr. Smallwood noted that Alday-Howell has an office in Marianna.

Motion by Commission Johnson, 2nd by Commissioner Buzzett, to award RFP 2011-03 CEI Services to Atkins Engineering. All in Favor; Motion carried 5-0.

Avenue A Sewer Update:

Mr. Smallwood noted that the bulk of the work left on the Avenue A Sewer Project is on Hwy 98. He also noted that Highway 98 will not have to be cut to make the improvements.

Code Enforcement, Richie Burkett:

No Update

Police Department, Chief Barnes:

Forgotten Coast Cultural Coalition- Request to block parking spaces:

Motion by Commissioner Buzzett, 2nd by Commissioner Gingell, to approve blocking parking spaces for the Forgotten Coast Cultural Coalition event.

Grants, Charlotte Pierce:

Grants Activity:

Mrs. Pierce provided the Commission a Grant Report that outlines the activity for the past two weeks.

PSJRA, Matt Flack:

RFP 2011-05, Landscaping Maintenance- US- 98 & Hwy 71:

Motion by Commissioner Gingell, 2nd by Commissioner Stephens, to award RFP 2011-05 to Coastal Landscape & Design in the amount of $23,280 for a one year contract.

Landscaping Phase III RFP:

Mr. Fleck indicated that a few minor modifications have been made to the RFP and plans to re-advertise the project within the next thirty days.

Commissioner Johnson asked, "Has the contractor been paid that did the Landscaping Project on Hwy 71?"

Mr. Fleck responded, "No, funds have been withheld."

Commissioner Gingell thanked the PSJRA for following thru with all of the projects.

Citizens to be Heard:

No one spoke

Commissioner Comments:

Mayor Magidson noted that we sent out a Code Red Message to our citizens reminding them to vote in the General Election. He suggested that we also send out a message to remind people to vote in the Run-off Election.

Commissioner Johnson would like to send out the Code Red Message the day before the Election.

Motion by Commissioner Gingell, 2nd by Commissioner Stephens, to adjourn at 7:20 P.M.

Approved this 7th day of June 2011.

Mayor Magidson

Jim Anderson, City Clerk