

**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, August 2, 2011 AT
6:00 P.M.**

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

Consent Agenda:

Motion by Commissioner Gingell, 2nd by Commissioner Patterson, to approve the Minutes for the June 28, 2011, Workshop Meeting. All in Favor; Motion carried 5-0.

Regular Agenda:

City Attorney:

Ord. 467 Free Standing Signs:

Motion by Commissioner Gingell, 2nd by Commissioner Buzzett, to have the 2nd reading of Ordinance 467. All in Favor; Motion carried 5-0.

Motion by Commissioner Gingell, 2nd by Commissioner Buzzett, to adopt Ord. 467. All in Favor; Motion carried 5-0.

BP Claim Update:

Mr. Gibson spoke with our legal counsel today and hopes to have a settlement agreement for consideration at the August 16, 2011 Regular Meeting.

Zoning Discussion:

Attorney Gibson noted that the property between Long Ave. & Woodward Avenue and Firsts to Fifth Street has been zoned commercial for thirty to forty

years. The City has always taken the position that once it went to Commercial Use, it could no longer be residential. Mr. Pollock has property on Fourth Street that he has a buyer for. The proposed purchaser would like the property to be classified as residential use. Under the current zoning the property can't be used as residential use because it has lost its grandfathering status. We can amend the LDR without going to DCA for approval. We could allow new residential homes and/or only existing residential to be used as a residence.

Mayor Magidson indicated that most of the property in that area is residential.

Attorney Gibson noted that approx. 30 homes exist in this area.

Commissioner Buzzett indicated that homes have existed in this area for at least sixty years.

Attorney Gibson noted that if we were to extend the Mixed Use District, our FLUM Maps would have to be updated and DCA contacted as well. We could simply amend the Zoning Maps and LDR.

Gina Vicari chose this area to live because she thought people could utilize both residential and commercial uses.

Attorney Gibson doesn't see a problem with people living and working in this area.

Attorney Gibson will draft an Ordinance to be read at the August 16, 2011 meeting and consideration of adoption will take place at the September 6, 2011 meeting. He will also draft a letter for Mr. Pollock outlining the schedule.

City Manager, Charlie Weston:

Brownfield Update:

Bruce Ballister from Apalachee Regional Planning approached the Commission about a partnership with ARPC. We can apply for up to \$500K with another

\$500K available if we partner with another jurisdiction. We were not successful the first time we applied, but we can re-apply in October.

Commissioner Buzzett noted that he was under the impression that we turned it down last year because we didn't have any Brownfield Designations and we weren't going to be given an equal share of the grant. He would like to see something in writing.

Mr. Ballister responded, "If there aren't any areas in the City that could possibly be Brownfield Designation, then we need to move on."

Mayor Magidson couldn't think of any City need and asked, "Is there any cost to the City?"

Mr. Ballister responded, "No, it will be covered by the consultant. Due to the time frame of the Federal Budget, we just found out that we can re-apply."

Commissioner Gingell asked, "Is there funding available to assess property?"

Mr. Ballister responded, "Yes, that is what the money is for."

ADA Compliance/Re-advertisement:

Mr. Ballister noted that the current RFP has been amended to include upgrades to the Centennial Building and Commission approval is needed to advertise the new RFP.

Commissioner Buzzett would like to have the item on the next agenda in order to have time to review the information.

Commissioner Kennedy indicated that the RFP needs to be more specific.

Mr. Weston will work with Mr. Ballister on the details of the RFP.

Golf Cart Crossing:

Mr. Weston is working on a letter to FDOT to move forward with the possibility of Golf Carts crossing Hwy 98 and Hwy 71.

Gulf Pines Hospital:

Commissioner Buzzett would like for the Commission to give consideration taking possession of Gulf Pines and/or selling it to a third party for demolition of the existing building.

Calendar:

Mr. Weston informed the Commission that August and September will be packed with certain actions that will need to be completed. All of the budget workshops in August will begin at 5:00 P.M.

Connie Butler, St. Joe Bar-Extension of Hours:

Ms. Butler approached the Commission about extending the current hours of operation for serving alcohol within the City Limits to match the County. The extra hours would mean more revenue and she currently has 242 signatures in favor of the extended hours.

Blake Rish from the Haughty Heron acknowledged that 90% of his business is local. Currently customers are going to beach locations once they close. It would be a lot safer for the community if they closed at the same time.

Mayor Magidson noted that the hours of operation are set by City Ordinance. We would need to amend our Ordinance if the Commission so desires.

Commissioner Patterson asked, "Are we talking about extending the hours every night?"

Mr. Rish responded, "Yes, just like the County."

Commissioner Kennedy doesn't have a problem with it since the County already has those hours.

Commissioner Patterson noted that we are only talking about two hours and the possibility of keeping people off the streets.

Commissioner Gingell thought that we already matched the County's hours.

Chief Barnes has no problem with the new proposed hours especially if we can keep people off the highways.

Motion by Commissioner Patterson, 2nd by Commissioner Gingell, to have Attorney Gibson draft and advertise an Ordinance to match the County Ordinance for the hours of alcohol sales until 2:00 A.M. ET. All in Favor; Motion carried 5-0.

Scallop Festival-Update:

Mr. Weston noted that a good plan is in place for the Scallop Festival to take place on August 6, 2011.

Dedication Services for David B. Langston Drive and the Pathway for Health and History:

Mr. Weston will be working on proposed dedication dates for consideration.

Community Event:

Mr. Weston indicated that we have discussed having a community event and asked if we still have any interest.

The consensus was to move forward on plans for an event and Commissioner Kennedy volunteered to help with the planning as well.

Online Utility Payments:

Mr. Weston discussed the proposed timeline to have online payments available by October 1, 2011, and will provide a presentation at the next Commission Meeting.

Entryway Signs:

Mr. Weston noted that the City plans to have the entryway sign at Windmark Beach completed by August 4, 2011.

First Baptist Church Development Order- Update:

Mr. Weston indicated that First Baptist has paid their Impact Fees in full and plans to begin construction on the parking lot August 8, 2011. Completion is anticipated by the end of the year.

Phil Earley- Local Purchases:

Mr. Earley indicated that the City recently purchased three lawnmowers and his company, St. Joe Rental, was not given an opportunity to place a bid. He felt that it came down to economics, but believes that the City paid over \$3K for each lawn mower. The problem is that they were not given the opportunity to show what they could sell.

Mayor Magidson noted that money for the purchase was in the budget, the Commission didn't take specific action, but the lawn mowers were purchased under a state contract.

Mr. Earley indicated that he can also sell under a state contract. Not only did they miss out on the sale, but they also missed out on the parts when repairs are needed.

Commissioner Buzzett is sensitive to local business and believes that all department heads will be more sensitive thru this exercise.

Attorney Gibson noted that state law requires competitive bids for all purchases over \$35K and the current City Policy exempts the bid process under state contracts.

Mr. Earley indicated that in the future, the City needs to give locals an opportunity.

Mr. Weston noted that he had a good conversation with Mr. Earley. We want the best value for the City. In this case, he backed the Dept. Head for choosing the item he felt was the best value for the City. We will local business's any way we can.

Attorney Gibson indicated that at certain values the current policy allows a department to make purchases without a bid.

Mayor Magdison feels that Mr. Earley has a fair request for the opportunity.

Mr. Earley responded, "A new policy is needed."

Surface Water Plant:

Surplus Property:

Mr. Weston noted that at the last meeting the Commission authorized him to seek the best value for the surplus generators. He is continuing to research our options, but we have had a lot of interest.

Chipola Pump Station:

Mr. Davis indicated that the #1 diesel engine has been pulled out and we are working with Gilbert Pump on a quote to rebuild the pumps. We have also received a cost analysis for silt removal in the fresh water canal.

Headworks and Sprayfield:

Mr. Davis noted that part of the foundation has been poured at the Headworks and the Sprayfield construction is continuing as well.

Public Works:

Flushing Program:

Mr. Grantland indicated that we have an August 17, 2011, deadline to have a Flushing Program to DEP, but doesn't see an issue meeting the requirement.

Mr. Grantland also noted that George Allen from Eastpoint will be hosting a free training session provided by Florida Rural Water. The training will enable some of our employees to sit for the state exam.

City Engineer:

RFP 2011-07, Garrison Avenue/Madison Street Multi Path Contractor:

Clay Smallwood, III, recommends awarding RFP 2011-07 to Anderson Columbia in the amount of \$420,176.42. The total budget for the project is \$575,000.

Commissioner Buzzett asked, "Do we have a local preference?"

Mayor Magidson responded, "No, DOT will not allow us to utilize local preference."

Commissioner Buzzett doesn't recall the City contacting DOT in the past.

Mr. Smallwood noted that it's against Federal Regulations to allow local preference for LAP Projects.

Motion by Commissioner Kennedy, 2nd by Commissioner Patterson, to award RFP 2011-07 to Anderson Columbia in the amount of \$420,176.42 for the construction of the Garrison Avenue/Madison Street Multi Use Path. All in Favor; Motion carried 5-0.

Commissioner Buzzett asked, "Is the Headworks and Sprayfield Project on schedule?"

Mr. Smallwood responded, "Yes, but we are still early in the project."

Commissioner Kennedy asked, "Any update on funding from SRF on the Water Distribution System?"

Mr. Smallwood responded, "The hearing is scheduled for August 10, 2011."

Code Enforcement:

First Street and Highway 98 Intersection:

Chief Barnes indicated that DOT has agreed to hang a "No Right Turn On Red" sign at the intersection of First Street and Highway 98.

Commissioner Patterson noted that we need a turn signal at First Street and Highway 98.

Commissioner Kennedy suggested asked DOT for a new study for the intersection.

Elementary School Traffic:

Chief Barnes has talked with school officials and they agreed to look at the ingress and egress of traffic at the Elementary School.

Grants:

Mrs. Pierce gave the Commission a Grant Activity Report covering the past two weeks. She also noted that Insurance Open Enrollment is scheduled for September 15 & 16, 2011.

Cemetery Signs:

Mrs. Pierce presented the Commission with a color coded map outlining our existing signs and proposed locations for new signs. The goal is to easily locate our historic cemeteries.

Commissioner Gingell asked, "Do we know the cost?"

Mr. Grantland indicated that he will work with Charlotte on a budget and DOT requirements.

Commissioner Kennedy noted that the TDC may have funds available for this type of project.

Mayor Magidson will discuss the project with the other TDC Board Members.

PSJRA:

Hwy 71 Landscaping:

Ms. Alsobrook is currently looking at options to relocate and/or protect the sprinkler heads on Cecil G. Costin, Sr. Blvd.

Rish Parking Lot:

Ms. Alsobrook noted that all of the required documents have been sent to USDA in reference to the Parking Lot Grant.

Citizens to be Heard:

Toye Roberts:

Toye Roberts the owner of America's Mini Storage indicated that he has spoken to Donnie Philips at DOT about a Tourist Zone sign at the Intersection of Hwy 382 and Hwy 98. He noted that Mr. Philips has indicated that the sign could be permitted by DOT to advertise the business in Commerce Park.

Mr. Grantland indicated that he will need to get the sign plans for submittal to DOT.

Mss. Alsobrook will provide Mr. Grantland with a copy of a previous submittal to Dot to use as a guide.

Nancy Leist:

Ms. Leist, who volunteers at the Humane Society, approached the Commission about the problem she feels we have with Feral Cats. She asked the Commission to look at the possibility of a Tax Abatement for local vets that have a program to spay or neuter Feral Cats.

Mayor Magidson noted that he is very familiar with the issue, but doesn't know the answer due to limited funds. What are we looking at to get a grant?

Ms. Leist indicated that the grant process is pretty complex, but asked if the city could distribute pamphlets on controlling Feral Cats at this time.

Mayor Magidson asked Ms. Leist to get a price for printing the pamphlets.

Commissioner Comments:

Commissioner Buzzett noted that he has spoken with Dwight Van Lierop, the City Insurance Agent of Record, in reference to insurance quotes for the 2011-2012

Budget. One of the quotes looks good and Mr. Van Lierop can provide more details.

Commissioner Kennedy indicated that he will be attending a Boating Access Ramp Meeting in Walton County and will report back on his findings.

Commissioner Kennedy also thanked the Community for support of its local youth athletic programs. He indicated that the ball fields need to be sprayed in preparation of next year. He has asked John Grantland to look into potholes in the alley behind the New Life Church.

Motion by Commissioner Patterson, 2nd by Commissioner Kennedy, to adjourn at 8:20 P.M.

Approved this 6th day of September 2011.



Mayor Magidson



Jim Anderson, City Clerk