

# **MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD IN THE COMMISSION CHAMBER AT CITY HALL, January 6, 2015, AT 6:00 P.M.**

The following were present: Mayor Magidson, Commissioners McCroan, Patterson and Thursbay. City Manager Jim Anderson, City Clerk Charlotte Pierce and Attorney Tom Gibson were also present. Commissioner Buzzett was absent due to medical appointments but participated by telephone.

## **CONSENT AGENDA**

### **Minutes**

A Motion was made by Commissioner Buzzett, second by Commissioner Patterson, to approve the Regular Minutes of December 16, 2014. All in Favor; Motion carried 5-0.

### **CITY ATTORNEY – Tom Gibson**

*Port Authority Update* – Mr. Gibson shared that the Port St. Joe Port Authority has received the DEP Permit for dredging and the Corps of Engineers is moving in the right direction with their permits.

*Shipyards Cove, LLC Lawsuit* – Attorney Gibson noted that Mayor Magidson has filed a response to the lawsuit and the ball is in their court.

### **CITY MANAGER'S REPORT – Jim Anderson**

#### **Old Business**

*Gulf Aire Sewer Proposal* – A letter from Frank J. Seifert, CFO of ESAD Enterprises, Inc., has been received stating Mr. Seifert has withdrawn his offer to sell the sewer collection system to the City of Port St. Joe.

*Gulf Pines Hospital Demolition Update* – Mr. Anderson shared that the asbestos removal should begin in a week or so and the subcontractor will begin demolition shortly after that.

#### *Gulf Pines Lot Sales – Commissioner McCroan*

A Motion was made by Commissioner McCroan, second by Commissioner Patterson, that sealed bids be received for the lots. All in Favor; Motion carried 5-0. The intent is that the entire process be very transparent; extensive advertising is to be done so that anyone interested in the lots will have the opportunity to bid for the lot of their choosing and all bidders will be given the same opportunity. Mr. Gibson noted that a Subdivision Plat will have to be drawn by Preble Rish and the Commission may want to consider Subdivision Restrictions. The Subdivision Plat will have to be reviewed by the PDRB, pending their approval, it will be returned to the Commission for their vote.

*Benny Roberts Park FRDAP Grant Update* – Mr. Anderson noted that work is progressing nicely, the AAA Field is being refurbished and there is a new T-Ball Field under construction.

*Impact Fees Discussion* – Mr. Gibson shared that he had e-mailed the local developers and had received very little response from them on the issue. The Commissioners were asked to provide their suggestions for the proposed Ordinance.

*CIP Plan Update* – Mr. Anderson requested input from the Commissioners to update the Capital Improvement Plan. He noted that this is the road map the City will use for all Capital Improvements over the next few years.

*Highway 71* – Mr. Anderson has spoken with FDOT about the condition of the Garrison Avenue and Highway 71 Intersection. The contract with C. W. Roberts Construction Company does not expire until April and it was noted that this is the new C. W. Roberts Construction Company rather than the previous owners.

## **New Business**

### *Building Lease / Purchase Agreement – Southerland Family Funeral Homes*

Bart Way, representing Southerland Family Funeral Homes, requested that \$2,561 be deducted from the selling price of \$240,000 for electrical improvements that were made to bring the building up to code. A Motion was made by Commissioner Buzzett, second by Commissioner Patterson, to deny the requested deduction but to terminate the Lease Agreement early rather than the stated September date allowing Southerland Family Funeral Homes to begin the purchase process. All in Favor; Motion carried 5-0.

*Franchise Fee Agreements* – The 30 Year Franchise Agreement (formerly with Florida Power Corporation and currently Duke Energy) will expire in May and a renewal proposal has been submitted. Mr. Anderson noted the draft copy had been reviewed and Staff feels that the agreement is good. A Motion was made by Commissioner Patterson, second by Commissioner McCroan, to have Staff work on the agreement and bring it back to the Commission for approval. All in Favor; Motion carried 5-0. An Ordinance will be required and will be advertised.

It was noted that, currently, neither the telephone nor gas companies are paying a franchise fee. Further discussion will be held concerning these entities.

### *Commercial Cardboard Pickup – Commissioner Patterson*

Due to the changes of ownership of the local Landfill, the City will no longer pick up cardboard as pickups cannot be co-mingled, must be broken out by content or a compactor used.

### *City Commission Chambers – Commissioner Patterson*

Commissioner Patterson feels that more people would attend the Commission Meetings if they did not have to climb stairs. He requested that future meetings be held in the Fire Station.

Mr. Anderson shared that anytime a citizens wants to attend a meeting and cannot climb stairs a phone call to City Hall is all that is needed for the meeting to be held in a location they could attend. He also noted that there is no computer access, sound system, or ability to use a power point presentation in the Fire Station.

After discussion, a Motion was made by Commissioner Patterson, second by Commissioner Buzzett, to hold the March Meetings of the Commission in the Fire Station. All in Favor; Motion carried 5-0.

*Equipment Surplus* – A Motion was made by Commissioner Buzzett, second by Commissioner Patterson, to declare the listed Computer items as Equipment Surplus. All in Favor; Motion carried 5-0.

### *Fee Waiver Request – Gulf County Library Fundraiser*

A Motion was made by Commissioner Thursbay, second by Commissioner McCroan, to grant the waiver requested by Mr. John L. Parker. All in Favor; Motion carried 5-0.

### *Door to Door Solicitation – Mayor Magidson*

The Mayor expressed his concerns about the recent Door to Door Solicitation being done by several individuals that did not have a City License. He noted that the individuals failed to comply with Florida Statutes, were not providing the Right of Rescission information and cautioned citizens to be careful about Door to Door sales people.

*Fee Waiver Request* were received from the following:

Thompson Temple First Born Holiness Church – Youth Event; Church of God in Christ – Damien Byrd Funeral; Church of God in Christ – Annie J. Stallworth Funeral; Dance Kraze Classes.

A Motion was made by Commissioner Thursbay, second by Commissioner Patterson, to grant these request. All in Favor; Motion carried 5-0. It was noted that the individuals will be responsible for cleanup of the facility, a cleaning inspection will be done after each event and if clean up by the City is required there will be a charge to the individual.

#### **Public Works – John Grantland**

*Water Distribution Phase II Update* – Repairs to driveways on Twentieth Street and Palm Boulevard will be poured next week to complete that section of the project.

#### **Surface Water Plant – Larry McClamma**

Mr. McClamma did not have anything to report.

#### **Wastewater Plant – Lynn Todd**

Ms. Todd noted that the Grit Kings are down due to work done on the Kenney's Mill Road, contractor help may be needed to remove the sand but they should be back on line shortly.

Waste Pro will not dump the hopper if there is any water in it. Mr. Anderson will discuss this with Waste Pro.

#### **City Engineer – Clay Smallwood, III**

The Traffic Count on the Golf Cart Crossing has been completed and accepted by FL DOT. If there are no safety issues in the future, additional counts will not be necessary.

#### **Code Enforcement**

Mr. Burkett's report was reviewed, no action was taken.

#### **Police Department – Chief Herring**

Chief Herring shared that his staff had a department meeting at 5:00 P.M., today, everything went well and they are all on the same page.

Commissioner Thursbay asked the Chief to check into the "No Turn on Red" issue at First Street.

Commissioner Patterson shared of problems with U-Turns on Reid Avenue and noted something needed to be done before there was an accident.

#### **Port St. Joe Redevelopment Association (PSJRA) - Gail Alsobrook**

*FRDAP Status* – Bids for the project are due Thursday.

*Phase IV Dead Palms Status* – There were problems with the previously established dates to change the palms and no new date has been established.

Commissioner Patterson questioned if Facade Grants are available for MLK Boulevard. Ms. Alsobrook responded they were not at this time. He also noted that several of the poles with Christmas decorations were not lit during Christmas which is a Duke Energy issue.

*Victor Stanley Benches Warranty Status* - The company has stated the slats in the benches are not under warranty. Ms. Alsobrook will work with Mr. Gibson to draft a letter as the slats were installed according to the company's specifications.

## City Clerk – Charlotte Pierce

Mrs. Pierce shared that the FRDAP Grant Coordinator for Port St. Joe, Mary Ann Lee, retired from DEP today. Mrs. Lee has worked with the City for years on the FRDAP projects and she will be missed.

## Citizens to be Heard

No one wished to address the Commission.

## Discussion Items by Commissioners

*Commissioner Thursbay* noted that a number of the TDC Signs are faded and in need up sprucing up. He asked that Staff follow up on this.

John Grantland will be meeting with the Baseball League this week to coordinated efforts to maximize possibilities for the AAA and T-Ball Fields.

The damaged light on Monument Avenue has not been repaired by Duke Energy and Mr. Anderson was asked to follow up on this.

*Commissioner Patterson* shared that there are a number of street lights out in the City and need to be relit. He asked that Staff follow up with Duke Energy on this issue.

*Commissioner McCroan* suggested contacting the County to see if their truck could be used to patch holes in the streets. Mr. Grantland will follow up on this.

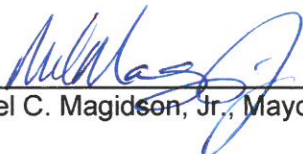
John Rich, long-time resident and former Mayor of Ward Ridge passed away and Commissioner McCroan asked that his family be remembered during this time.

*Commissioner Buzzett* shared that a niece of former City Commissioner Bill Kennedy had passed away and asked that their family be remembered as well.

*Mayor Magidson* did not have anything to discuss.

A Motion was made by Commissioner McCroan, second by Commissioner Thursbay, to adjourn the Meeting at 7:20 P.M.

Approved this 20<sup>th</sup> day of January 2015.

  
\_\_\_\_\_  
Mel C. Magidson, Jr., Mayor

1/23/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Charlotte M. Pierce, City Clerk

1/21/15  
\_\_\_\_\_  
Date