

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT
2775 GARRISON AVENUE, March 15, 2022, at Noon.**

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

CONSENT AGENDA

Minutes

A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to approve the Minutes of the Regular Meeting of March 1, 2022. All in favor; Motion carried 4-0.

Mr. McCahill read Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers as completed by Commissioners Ashbrook and Hoffman on March 1, 2022, concerning Ordinance 597 Food Trucks. Commissioner Ashbrook abstained from voting because he works for a company with an interest in utilizing food trucks on a contract landlord / tenant basis. Commissioner Hoffman abstained from voting because is the bookkeeper of his brother's Food Truck Business.

Planning Board Recommendations

Development Order Request – Palmetto Bluff Subdivision 90 Units Long Avenue Partners, LLC

Commissioner Lowry stated that he would be abstaining from voting on this issue because he has a business interest with developer Ralph Rish.

A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to grant the Development Order dependent upon the completion of the attached contingencies. See Ex. (A). All in favor; Motion carried 3-0 with Commissioner Lowry abstaining.

City Engineer – Josh Baxley

Long Avenue Water / Sewer Project Change Order #3

This project is under construction. Crews are currently working on the water main and sewer force main on Long Avenue.

Change Order #3 is to remove and replace the ring and cover on 30 manholes and replace 6" VCP with 8" PVC on Long Avenue.

Mayor Buzzett expressed his concerns and noted that the City will be required to pay 20% of the \$148,000 cost and feels that Dewberry should have caught this error in the bid. He asked Mr. Baxley if Dewberry would cover the cost and Mr. Baxley said he would ask about this.

Change Order #4 will be a deductive Chane Order for City direct equipment purchases and tax savings.

First Street Sewer Repairs and Paving

Bids are due March 24, 2022, for this project.

Clifford Sims Park Plan

Bids for this project are due on April 8, 2022.

Observation Platform – The plans indicate a 38' long by 8' wide aluminum walkway connected to a 70' x 18' aluminum observation platform. The structure will be supported by prestressed concrete pilings and girders.

Boat Ramp Access Road Design

Plans are in design for this project and Dewberry expects to have a 60% review set by the week of March 21, 2022.

Commissioner Langston asked about the dust and broken road piles across from Mama Dot's and the Pharmacy on Avenue A. Mr. Anderson shared that the contractor is moving the dirt daily and it should be gone shortly.

City Attorney –

Attorney McCahill did not have anything to report.

Old Business

City Projects

Mr. Anderson noted the completion of Knowles Avenue; the pavilion provided by the Port St. Joe Rotary Club has been installed on the Florida Forever Land across from the Methodist Church, the Keepers' House, Elgin, has been completed, and the point repair on First Street is finished.

New Business –

Florida Resilient Cities

The walking tour is scheduled for Friday, March 18, 2022, at 9 A.M.

Mr. Anderson announced that Fire Chief, John Ford, is retiring after 32 years and thanked him for his service. Mayor Buzzett asked that Chief Ford be recognized in a meeting for his years of service.

Public Works – John Grantland

Mr. Grantland did not have any updates for the Commission.

Surface Water Plant – Larry McClamma

Mr. McClamma was running the plant and unable to attend the meeting. Mr. Anderson noted that two reports had been received from DEP and were very good. The Quarterly Disinfectant By Products Report was very low, and the CCR Report passed for the year and will be distributed shortly.

Wastewater Plant – Kevin Pettis

Mr. Pettis shared that Mr. McClamma and the Surfacewater Treatment Plant has a new vehicle and there is 3.5' of freeboard in the lagoon. He also noted that the Sonic Disrupters did not pass the manufactures test and have not been shipped yet; the pump for the Headworks has been ordered and he will be working on bid specs for the platform for it. The plant will be pushing water this month; Algae continues to be in the lagoon and he is preparing a plan of action letter to DEP for controlling the Algae.

Finance Director – Mike Lacour

Mr. Lacour is working on required replacement signs for Maddox Park and Clifford Sims Park.

Mayor Buzzett asked about the City's entrance sign that had once been at Windmark.

Code Enforcement –

Mr. Anderson shared that several cases heard by the Special Master have a time line for compliance and multiple notices have been issued for campers.

Police Department – Lt. Burch

Lt. Burch did not have anything to report from the Police Department.

City Clerk – Charlotte Pierce

Grants Update

Ms. Pierce shared that Staff continues to meet with the City's grant writing team and explore grants for the City.

She noted the FY 2023 Community Planning Technical Assistance Grant that Commissioner Langston inquired about has an April 11, 2022, deadline and will require approximately \$10,000 in funding. Commissioner Langston will get with Commissioner Ashbrook to see if the PSJRA could help with this.

Clerk Pierce noted that the Grant Agreement was signed by Mayor Buzzett for the Centennial Building and she anticipates the Grant Agreement for the Cape San Blas Lighthouse Complex will be signed soon.

Citizens to be Heard –

Chester Davis reminded the Commissioners of the walk through with UF Friday and shared that he would be using his church van to transport participants if there is bad weather.

He noted the continued use of his church property for a dumping site near the Lasharaw Apartments and asked what could be done. It was noted that the church property and apartments are on private property and the issue needs to be resolved by the owners.

Mr. Davis also asked if the dirt being hauled from in front of Mama Dot's could be used by NPSJ residents rather than trucking the dirt to Blountstown. Mayor Buzzett reminded Mr. Davis that this would be between a private contractor and residents and those entities would need to discuss this issue.

Discussion Items by Commissioners

Commissioner Lowry shared that the TDC would be contributing \$10,000 for fireworks this year.

Commissioner Ashbrook asked about the status of funding for a new City Hall. Staff is working with the City Architect and he is in the process of preparing a PAR.

Commissioner Langston did not have anything to update the Commission on.

Mayor Buzzett reported that his meeting with Gulf County Board of County Commissioners Chairman Sandy Quinn went well. Commissioner Quinn is aware of the need for the Field of Dreams and will try to move forward on this issue. Mayor Buzzett anticipates that a contingency from the little league program will be approaching the County Commission as there are over 200 participants in the program this year. He also referenced an article in the FL Trend Magazine of the tremendous growth expected in the remainder of this decade and how it will impact our area.

Mayor Buzzett and Mr. Anderson met with Jorge Gonzalez of the St. Joe Company recently and Mayor Buzzett stated he felt good about the meeting. They discussed the marina, adding landscaping to enhance the storage barn, motel projects, paving of Marina Drive, and possible traffic issues on Highway 98 with the 700 new homes being built there. A meeting has been scheduled for the City, St. Joe Company, and FDOT to discuss the traffic issue. It was noted that the fencing on Marina Drive was requested by Eastern Shipbuilding to protect their property. There is a meeting Thursday to discuss the Town Home rentals to be built on Highway 71 and the possibility of the City providing water and sewer for them.

Motion to Adjourn –

There was no other business to come before the Commission and Mayor Buzzett adjourned the meeting at 1:42 P.M.

Approved this 5th day of April 2022.



Rex Buzzett Mayor

4/5/22

Date



Charlotte M. Pierce, City Clerk

4/5/22

Date

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Lourey, Brett Charles</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Port St. Joe Board of City Commissioners
MAILING ADDRESS <i>1341 Gulf Coast Cir.</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Port St. Joe, FL	COUNTY Gulf
DATE ON WHICH VOTE OCCURRED <i>3/15/2022</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 March 15th, 20 22 :

(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, Developer, ~~B~~ Ralph Aish ;
- 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:

I have a business relationship with developer.

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.

Date Filed 3/15/2022

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.

Date: February 28, 2022

To: City of Port St. Joe
Jim Anderson

From: Ralph Rish

Re: Palmetto Bluff Subdivision

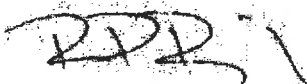
Dear Mr. Anderson,

Please see my response to the items of concern you provided to Caleb Brown with Dewberry via email on February 25, 2022.

1. **Development Order Application Fee.**
Fee has been provided to the City.
2. **Easement and/or legal on the plans for the line between the subdivision and Sacred Heart Lift Station.**
Sacred Heart has agreed to reinstate the sewer easement down the Eastern Boundary. Prior to constructing the off-site sewer improvements, we will provide proof of the easement to the City.
3. **Easement between lots 74 & 75 are still a concern.**
Removing the easement between lots 74 & 75 and separating the lot lines would cause the two lots to not meet the requirements on the recorded P.U.D. for minimum lot frontage. Ultimately, this would result in the loss of the two subject lots. However, the plat will describe the easement as a utility easement dedicated to the utility owners. Furthermore, the covenants and restrictions will place the property owners with the responsibility of removing or replacing improvements within the easement.
4. **Letter saying the developer will guarantee the sacred heart lift station will achieve 250 gpm and the City must be provided an official start-up report by Dewberry prior to any C.O. being issued.**
As you are aware, Dewberry is currently designing upgrades to the Sacred Heart Lift Station as the subject development's wastewater system will tie into the lift station. Prior to a C.O. being issued, we will ensure the lift station upgrades have been completed and conduct a start up to ensure achievement of the 250 GPM flow requirement. We will provide an official start-up report to the City for verification.

If you have any questions, please do not hesitate to contact me at 850.227.5137.

Sincerely,



Ralph Rish