

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT
2775 GARRISON AVENUE, July 18, 2023, 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

Minutes

A Motion was made by Commissioner Hoffman, second by Commissioner Kerigan, to approve the Minutes of the Special Meeting of June 13, 2023. All in favor; Motion carried 5-0.

Planning Board Recommendation

Plat Approval Request – Long Avenue Partner, LLC Parcel #05324-000R

Commissioner Lowry stated that he would be abstaining from voting on this issue as he has a business relationship with Mr. Rish. Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers, as completed the Commissioner Lowry, is attached to these Minutes as Exhibit A.

A Motion was made by Commissioner Langston, second by Commissioner Kerigan, to approve the Plat request providing the items listed on Page 5 are completed. A copy of these items is attached as Exhibit B to these Minutes. All in favor; Motion carried 4-0 with Commissioner Lowry abstaining.

City Engineer – Josh Baxley

First Street Paving

The Contractor is completing the final punch list of items.

Long Avenue Paving Pay Request

After discussion, a Motion was made by Commissioner Hoffman, second by Commissioner Lowry, to Tabled this until the next meeting. All in favor; Motion carried 5-0. Commissioner Lowry asked that the Record reflect that he wanted to resolve this issue today.

Beacon Hill Sewer Design

The Lift Station lid has been set; due to rain delays, the contractor will be on site July 19, 2023, to plumb the Lift Station and lay pipe. Bids for RFP 2023-09 for the Beacon Hill Low Pressure Sewer System were opened on June 30, 2023. North FL Construction was the apparent low bidder at \$2,095,010.00 and for City Staff to do the tap work. After discussion, a Motion was made by Commissioner Kerigan to award the project to the low bidder. The Motion died for the lack of a second.

A Motion was made by Commissioner Lowry, second by Commissioner Hoffman, to Table the issue until the next meeting. All in favor; Motion carried 5-0.

Downtown Water Line Replacement Phase I

This project is out for bid. Bids will be opened on July 28, 2023.

Madison Street Paving

FDOT noted that the 100% estimate was \$9,137.00 higher than the original grant amount and they did not offer to cover the overage for the City. Dewberry's recommendation is to bid the project and provide the results to FDOT.

A Motion was made by Commissioner Lowry, second by Commissioner Kerigan, to bid the project. All in favor; Motion carried 5-0.

City Attorney

Ordinance 602 Parking – First Reading and Request to Advertise

Discussion was held on the Ordinance.

Request for Public Input:

Christy McElroy asked about parking on the sidewalk. Chief Richards responded that it is illegal, and he has seen the picture she was referring to.

A Motion was made by Commissioner Kerigan, second by Commissioner Langston, to have the First Reading and advertise Ordinance 602. All in favor; Motion carried 5-0. Due to an oversight, the First Reading of the Ordinance was not held.

Demolition Update 903 16th Street and 1310 Long Avenue

Attorney McCahill will be contacting the contractor at the beginning of next week.

Old Business

City Projects

Mr. Anderson reviewed the projects individually and updated the Commissioners on each of them.

New Business –

2023–24 Tentative Millage Rate

Commissioner Lowry requested that there not be a 1 Mill increase for planning purposes because citizens do not understand it is for planning purposes and phones begin to ring when they see their TRIM Notice.

A Motion was made by Commissioner Hoffman, second by Commissioner Kerigan, to approve the Tentative Millage Rate of 3.5914. All in favor; Motion carried 5-0. The Tentative Budget Public Hearing will be held on Friday, September 8, 2023, at 5:01 P.M., and the Final Budget Hearing will be on Friday, September 22, 2023, at 5:01 P.M.

Letter of Support – Dr. Dusty May

A Motion was made by Commissioner Hoffman, second by Commissioner Kerigan, to approve the Letter of Request from Dr. May concerning the Baysavers Group. All in favor; Motion carried 5-0.

Creative Project Capstone Request – Amos Pittman

A Motion was made by Commissioner Langston, second by Commissioner Lowry, to approve Mr. Pittman's request to do a City of Port St. Joe Stormwater Improvement Project with emphasis on North Port St. Joe. In his email requesting permission, Mr. Pittman stated that he was required to get the City's permission to do the project and submit his final work to the city, but noted the City is under no obligation to utilize his work. All in favor; Motion carried 5-0.

Public Works – John Grantland

RFP 2023-09 Beacon Hill

This item was resolved earlier in the meeting under the City Engineer's Report.

Surface Water Plant – Larry McClamma

Mr. McClamma shared that FL DEP will be conducting a full inspection of the City's water system next week.

Wastewater Plant – Kevin Pettis

Mr. Pettis shared there is 2' 10' of free board in the lagoon, the plant has been unable to discharge due to a pump problem and parts have been ordered to correct the issue. The issue with the Godwin Pump at the Headworks has been resolved and water is being circulated in the pond to prevent odors.

Finance Director – Mike Lacour

FEMA Update

The last FEMA Project, Clifford Sims Park, is moving forward and Mr. Lacour will submit a request for \$160,000 for Administration expenses.

Audit Report Update

The Audit Report has been completed and submitted to the state and respective agencies.

Grants Reimbursement Update

Mr. Lacour is seeking reimbursement for grant expenses.

Code Enforcement –

Mr. Anderson shared that Attorney McCahill continues to work on the demolition process. Overgrown grass throughout the City is an issue and Mr. Anderson asked that residents clean and spruce up their property. Interviews were held last week for the Part-time Code Enforcement Officer, and he expects a decision will be made this week on the new hire.

Police Department – Chief Richards

Chief Richards noted that he will be replacing two cameras at the Frank Pate Boat Ramp with funds from the Boat Ramp Fund. The cost is under the bid threshold and does not require Commission approval.

City Clerk – Charlotte Pierce

Grants Update

Clerk Pierce shared that City Staff continues to work on seeking grants, required compliance, and various reports.

Ghosts on the Coast and Christmas Parade Updates

Ms. Pierce spoke with Joe Whitmer, Executive Director Gulf County Chamber of Commerce, and they want to continue doing the judging of the Ghosts on the Coast Event.

Clerk Pierce reminded the Commissioners that the Christmas Parade will be Saturday, December 9, 2023, and asked that they mark their calendars and participate in the parade.

Citizens to be Heard –

Chester Davis shared that the job training program will begin a 6 weeks training program on August 8, 2023, and invited anyone to participate in the program.

Kim Miller thanked Commissioner Langston for his help for his help with cleaning up the garden area so the Pumpkin Patch could be planted today. She asked about the area adjacent to the garden not being cleaned up. Line spots have been requested, this is St. Joe Company property, and the City cannot do anything on it. She also thanked the Commission for the use of the Centennial Building for the LNG Meeting and their attendance at the meeting.

Christy McLemore shared that No Petro is not coming to Port St. Joe. Stated she would like to provide lunch to the Police Department and Public Works Departments and made a personal contribution of \$1,000 to help with the acoustics and insulation in the remodeling of the Centennial Building.

Discussion Items by Commissioners

Commissioner Hoffman shared that he will be requesting the TDC provide \$225,000 towards a public restroom at Core park when they meet on August 1. He also requested that the Dr. Joe Park Project, to replace sails, add benches and trash cans, be placed on the City Project List.

Commissioner Lowry did not have any updates for the Commission.

Commissioner Kerigan noted that recently, during the heavy rains, the drainage near Dr. Joe Park was not flowing and water was backing up on Williams Avenue.

Commissioner Langston asked that staff get in touch with the St. Joe Company concerning people going on their property and leaving trash.

Mayor Buzzett requested that a meeting be set up with Oikos concerning the workforce housing project. He shared that he is still working with Duke Energy on an easement to the property. Mr. Anderson is trying to set up a meeting for either of the Commission Meetings in August.

Mayor Buzzett announced a Meet and Greet to welcome the newest providers and leadership of Ascension Sacred Heart Gulf on July 27, 2023, from 4:00 – 6:00 P.M., at the Port St. Joe Garden Club.

Mayor Buzzett requested that a letter be sent to Ascension Heart encouraging them to consider offering a position to a local graduate that is completing their medical school training.

Motion to Adjourn

There was no other business to come before the Commission and Mayor Buzzett adjourned the meeting at 1:15 P.M.

Approved this 1st day of August 2023.

Rex Buzzett
Rex Buzzett, Mayor

8/1/23
Date

Charlotte M. Pierce
Charlotte M. Pierce, City Clerk

8/1/23
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 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>07/18/2023</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. Lowry, hereby disclose that on July 18th, 20 23:

(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;
- 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 Mr. Bish.

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.

7/18/23
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.

Date: July 11, 2023
To: City of Port St. Joe
Jim Anderson
From: Ralph Rish
Re: The Retreat at Palmetto Bluff

Dear Mr. Anderson,

It is our understanding that the planning board may need some clarification in regards to the final plat submitted for the Retreat at Palmetto Bluff Subdivision and what we are asking for a conditional approvals. Please see the clarifications below.

1. The full "Retreat At Palmetto Bluff" plat shall be submitted but we are only requesting the release of the lot numbers 49-65 and 86-106 for a total of 37 Lots.
2. The remainder of the lots in this plat shall be resubmitted for release in another application after construction of any remaining aspects have been completed.
3. The Homeowner Association (HOA) and Covenants and Restrictions will be completed.
4. The FDEP Permits for Water and Sewer apply to the full completion of both the Cove and the Retreat phases of the Palmetto Bluff Subdivision. A Partial clearance for the Cove portion was completed. The full clearance for the remainder of the entirety of the Palmetto Bluff Subdivision will be approved prior to the release of the requested lots.
5. The proposed upgrades to the Sacred Heart Lift Station that were required as a conditional approval of the Cove Plat have been made and approved by City Staff.
6. The road is proposed to have two (2) 1-inch lifts of asphalt for final completion. Prior to the signing of the plat, one (1) 1-inch lift will be completed. We acknowledge that we will still be responsible for the final lift of asphalt prior to the road dedication to the city.
7. The H.O.A Stormwater Management Facilities certification will be completed prior to the last submittal to release the remaining lots.

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

Sincerely,



Ralph Rish
RRish@Dewberry.com
850-227-5137