

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT
2775 GARRISON AVENUE, October 3, 2023, at Noon.**

The following were present: Mayor Buzzett, Commissioner 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 Lowry, to approve the Minutes of the Regular Meeting of September 19, 2023, and the Special Meeting of September 22, 2023. All in favor; Motion carried 5-0.

Attorney McCahill read Form 8 Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers, as completed by Commissioner Lowry on September 22, 2023, when he abstained from voting on Ordinance 603 Small Scale Map Amendment and Rezoning Request for Parcels # 04855-001, 04855-004R, and 04855-050R Rish Cottages.

Planning Board Recommendation

Public Hearing

Christy McElroy shared her concerns about the property and work being done there.

Ordinance 603 – Second Reading and Adoption; Small Scale Map Amendment and Rezoning Request Parcel #s 04855-001, 04855-004R, and 04855-050R – Rish Cottages LLC

A Motion was made by Commissioner Langston, second by Commissioner Hoffman, to have the Second Reading and Adoption of Ordinance 603. Commissioner Lowry announced that he would be abstaining on this item as he has a personal interest in this development. All in favor; Motion carried 4-0 with Commissioner Lowry abstaining. This Ordinance will change the zoning from C1A to Residential R2B. Form 8B Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers, as completed by Commissioner Lowry, is attached. (Exhibit A).

Attorney McCahill read Ordinance 603 by Title only.

City Engineer – Josh Baxley

Beacon Hill Sewer

The contractor, BTC, pulled off the job due to a lack of materials. They are in hopes of resuming the work shortly. The lift station Punch list has been reviewed with Mr. Grantland. It appears the pipe stand is the only missing item. Mr. Grantland shared that the start up of the system went well.

Downtown Water Line Replacement Phase I

This project is scheduled to start on October 16, 2023.

Madison Street Scop Grant

The Notice of Award and Agreement have been provided to the City.

Allen Memorial SCOP Grant

This item is being addressed under New Business.

Wastewater Sprayfield Task Order

Zone 3 information has been provided to Dewberry.

HMGP Task Order

This has been given back to Dewberry.

City Complex Task Order

Survey work is being completed.

City Attorney

Resolution 2023-11, SCOP Grant: Allen Memorial Way Resurfacing

A Motion was made by Commissioner Lowry, second by Commissioner Kerigan, to adopt Resolution 2023-11 Allen Memorial Way SCOP Grant approval.

Old Business

City Projects

Mr. Anderson shared the Public Works Building has been completed and looks very nice. Five new projects have been sent to Dewberry for engineering, the ESAD Project has been completed, the Beach Hill Sewer Lift Station is on line and staff continues to work on residential laterals.

New Business

Special Permit Request – Faith Christian Parent League

The requestor asked that this item be removed from the Agenda.

Legislative Request 2023 / 2024

Consensus of the Commission was to request \$6 Million for the Fire and Police Department complex; \$50 Million for the sewer plant to stay in compliance and be one of the safest facilities in Florida, and \$2 Million for road paving.

CDBG-DR CCTV Change Order #1

A Motion was made by Commissioner Kerigan, second by Commissioner Hoffman, to approve Change Order #1 in the amount of \$16,879.40. All in favor; Motion carried 5-0.

Madison Street SCOP Grant

A Motion was made by Commissioner Kerigan, second by Commissioner Langston, to pay the additional \$62,278 that will be needed from the City to cover design plus the cost of CEI Services. All in favor; Motion carried 5-0.

Public Works – John Grantland

A Motion was made by Commissioner Lowry, second by Commissioner Hoffman, to declare the old gas station building at Public Works surplus scrap metal. All in favor; Motion carried 5-0. The estimated value is less than what it would cost to take the building down.

Surface Water Plant

Mr. McClamma was running the plant and Mr. Anderson shared that a new sample port is being installed at the Shark Tank on Long Avenue.

Wastewater Plant – Joe Harris

Mr. Harris shared there is 18" of freeboard in the lagoon, the plant is discharging, Algae is not an issue at this time, the Solar Bees are in service, plant filters were cleaned Friday, and the Microbes are not being used anymore.

Finance Director – Mike Lacour

FEMA Grants Update

Mr. Lacour noted that Clifford Sims Park is the last FEMA Project and work is underway on it. Mr. Grantland is working on a bid packet for rocks for the project.

Grants Reimbursement Update

The final reimbursement on the First Street SCOP Grant is being requested. Mr. Lacour continues to work on reimbursement from the Septic to Sewer and Resilient Florida Grants.

Code Enforcement

Approximately fifty letters were sent last week for violations, over grown grass is being addressed, and progress is being made to improve issues.

Police Department – Chief Richards

Request to bid 2 New Vehicles

A Motion was made by Commissioner Hoffman, second by Commissioner Kerigan, to advertise for two new vehicles, Nissan Pathfinders, for the Police Department. All in favor; Motion carried 5-0. These vehicles are not available on state contract.

City Clerk – Charlotte Pierce

Grants Update

Clerk Pierce shared that City Staff continues to work with grant providers, compile monthly and quarterly reports, and review opportunities for new grants.

Donation of Property by Bob Kerrigan where the Reid Avenue Restrooms are located

A Motion was made by Commissioner Kerigan, second by Commissioner Lowry, to accept the generous offer of Mr. Kerrigan. All in favor; Motion carried 5-0.

Mayor Buzzett expressed his appreciation for Mr. Kerrigan's generosity, noted that he is a graduate of Port St. Joe High School, and is a gentleman that has always remembered Port St. Joe. He asked that a letter be sent to Mr. Kerrigan thanking him for his benevolence.

Mayor Buzzett asked that the new proposed Christmas Parade route be shared. It has been recommended that the parade line up on Monument Avenue, proceed down Highway 98 to First Street, meander through the waterfront area, back to the extension of Highway 71, and then back to Monument Avenue. This route will allow for more staging, better lighting, and leave parking on Reid Avenue open.

Citizens to be Heard

Barbara Walker, 317 Avenue B, asked for demolition help with her property. She has received code violation notices, complied with the grass issues, and has been unsuccessful in receiving help to repair her home. Mr. Anderson offered to review Ms. Walker's denial letters for help on her house if she would bring them by his office.

Eddie Fields thanked the Commission for the truck given to the Gulf County Senior Citizens.

Christy McElroy shared her concerns about Ms. Walker and the cottages being built on Woodward Avenue under Ordinance 603.

Discussion Items by Commissioners

Neither Mayor Buzzett, Commissioners Langston, Kerrigan, Lowry, nor Hoffman had anything else to update the Commissioners on.

Motion to Adjourn

There was no other business to come before the Commission, and Mayor Buzzett adjourned the meeting at 1:00 P.M.


Approved this 17th day of October 2023.



Rex Buzzett, Mayor

10/17/23

Date



Charlotte M. Pierce, City Clerk

10/17/23

Date

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

LAST NAME—FIRST NAME—MIDDLE NAME Lowry Brett Charles		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Port St. Joe Board of City Commissioners	
MAILING ADDRESS 1341 Gulf Coast Circle		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Port St. Joe, FL 32456	COUNTY Gulf	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED Oct 3rd, 2023		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 Oct 3rd, 2023

(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, _____;
- 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 personal interest in this development.

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 10/3/2023

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.