

**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 17, 2023, at Noon.**

The following were present: Mayor Buzzett, Commissioners, Kerigan, 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 Lowry, second by Commissioner Kerigan, to approve the Minutes of the Regular Meeting of October 3, 2023, and the Special Meeting of September 8, 2023. All in favor; Motion carried 4-0.

Attorney McCahill read Form 8 Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers, as completed by Commissioner Lowry on October 3, 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*

No one from the public spoke.

*Ordinance 606 Land Development Regulations PUD Amendment, First Reading*

A Motion was made by Commissioner Kerigan, second by Commissioner Langston, to have the First Reading of Ordinance 606. Commissioner Lowry stated that he would be abstaining from the vote as he is a business associate of Ralph Rish. All in favor: Motion carried 3-0 with Commissioner Lowry abstaining. Form 8 Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers, as completed by Commissioner Lowry on October 17, 2023, when he abstained from voting on Ordinance 606 Land Development Regulations PUD Amendment is attached as Exhibit A.

This is amending the LDR requirements for PUD's in the Downtown Marina area.

Attorney McCahill read Ordinance 606 by Title only.

*Ordinance 607 Marina Cottages PUD – St. Joe Marina Cottages, LLC, Parcel 04594-030R, First Reading*

A Motion was made by Commissioner Kerigan, second by Commissioner Langston, to have the First Reading of Ordinance 607. Commissioner Lowry stated that he would be abstaining from the vote as he has a business relationship with the developer. All in favor; Motion carried 3-0 with Commissioner Lowry abstaining. Form 8 Memorandum of Voting Conflict For County, Municipal, and Other Local Public Officers, as completed by Commissioner Lowry on October 17, 2023, when he abstained from voting on Ordinance 607 Marina Cottages PUD is attached as Exhibit B.

This creates the Marina Cottages PUD.

Attorney McCahill read Ordinance 607 by Title only.

*Development Order and Special Exception Request Amos Pittman, 170 MLK, Parcel #05701-000R*

A Motion was made by Commissioner Kerigan, second by Commissioner Langston, to approve the Development Order and Special Exception Request. All in favor: Motion carried 4-0.

**City Engineer – Josh Baxley**

*Beacon Hill Sewer*

BTC is still waiting on materials for the Low Pressure System.

*Downtown Water Line Replacement Phase I*

This project is scheduled to start this week.

*Madison Street SCOP Grant*

Currently, the City is advertising for CEI Services for the project.

*Allen Memorial SCOP Grant*

A Task Order is needed to begin this project.

*Wastewater Sprayfield Zone 3 Expansion*

A survey is being scheduled for the property.

*HMGP Grant - Elevation of 12 Lift Stations*

Dewberry is waiting on a survey and field measurements are being taken of the site.

*City Complex Survey and TOPO*

This has been completed and a conceptual drawing of the complex is being prepared.

*H and H Study Task Order – NOAA Grant*

A Motion was made by Commissioner Langston, second by Commissioner Kerigan, to approve a Task Order for this study. All in favor; Motion carried 4-0.

Christy McElroy had several questions about the 10<sup>th</sup> Street Ball Complex piping.

**City Attorney**

*Ordinance 608 User Fees – First Reading and Request to Advertise*

A Motion was made by Commissioner Lowry, second by Commissioner Kerigan, to have the First Reading of Ordinance 608 and approve to advertise the Ordinance. All in favor; Motion carried 4-0.

Attorney McCahill read Ordinance 608 by title only.

This Ordinance covers Credit Card Fees, Meter Fees, and after hour calls when the problem is not on the City's side of the line.

Clare Morris asked if payments could be deducted from customers' accounts and Mr. Anderson responded they could as the City currently accepts ACH payments.

Robert Branch stated he did not feel charging City residents due to calls to the cape was right. Mr. Anderson explained again that a charge would only be made if the problem was on the customer's side of the line.

#### *ESAD Sewer MOU Update*

Mayor Buzzett shared that two weeks before closing on the MOU, the City received a 66 page example of what would be needed. These pages were paired down to 23 pages and after reviewing them, Attorney Mccahill asked that another firm review his take on this document. There were 100 pages of attachments, and the firm is still reviewing the documents. Mayor Buzzett expects to have this on the Agenda for the November 7, 2023, Meeting.

#### **Old Business**

##### *City Projects*

There was no discussion of City Projects by Commissioners.

#### **New Business**

##### *RFQ 2023-02 Professional Grant Writing Firm*

Mr. Anderson shared that four firms had submitted RFQs and after review, Staff recommends retaining Fred Fox Enterprises.

A Motion was made by Commissioner Langston, second by Commissioner Kerigan, to accept the RFQ of Fred Fox Enterprises. All in favor; Motion carried 4-0.

##### *ACOE Grant Application*

A Motion was made by Commissioner Kerigan, second by Commissioner Lowry, for Staff to apply for an ACOE Grant. All in favor; Motion carried 4-0. This would provide for Stormwater Funding after the H and H Study is completed.

##### *Port Authority Membership - Mayor Buzzett*

Mayor Buzzett shared that the Port Authority is asking for names to be considered for membership on their Board. If anyone is interested in serving, they should contact the Port St. Joe Port Authority.

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

##### *Sewer Repair Quote for Highway 71*

A Motion was made by Commissioner Lowry, second by Commissioner Kerigan, for C. W. Roberts Contracting, Inc., to make Emergency Repairs to the sewer line on the inside lane of Highway 71 between Garrison and Knowles Avenues. All in favor; Motion carried 4-0.

### *Twentieth Street Stormwater Pipe Inspection Quote*

Mayor Buzzett asked that this be Tabled until Commissioner Hoffman is present as this is a concern that he has brought up.

### *Request to Purchase Two Chevrolet Utility Body Trucks*

A Motion was made by Commissioner Kerigan, second by Commissioner Langston, to purchase two Chevrolet Utility Body Trucks on state contract in the amount of \$114,388. All in favor; Motion carried 4-0. This purchase is a budgeted item.

### *ESAD Sewer Rehab Project*

Mr. Grantland provided a list of workers that could be working on the ESAD Sewer Rehab Project and requested that these employees be given a temporary \$2.00 per hour pay increase for the hours they work on this specific project. Time sheets will be kept logging the date and time spent on the rehab.

A Motion was made by Commissioner Kerigan, second by Commissioner Langston, to approve Mr. Grantland's request for a \$2.00 per hour pay increase for the employees listed for the hours they spend working on the project. All in favor; Motion carried 4-0.

Commissioner Langston asked that a ditch area between Battles and Avenue F be looked at. There is an issue with trees there and he feels the St. Joe Company should take care of their property in that area. Mr. Grantland will check on this area.

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

Mr. McClamma shared that the Poly Aluminum Chloride testing is on going, jar tests are looking good, and coming off the Ferri Sulfate would be a cost savings to the City. This could improve the quality of water and help with filters at the Wastewater Treatment Plant.

### **Wastewater Plant – Kevin Pettis**

Mr. Pettis reported that they are in the process of abandoning the well and everything is going well with it. The plant is pushing water and that is doing fine.

### **Finance Director – Mike Lacour**

#### *FEMA Grants Update*

Mr. Lacour has received the final notification for reimbursement, the documents have been signed and returned.

#### *Grants Reimbursement Update*

He continues to work on the \$100,000 FRDAP Reimbursement and is continually told they are understaffed but working on the reimbursement.

### **Code Enforcement**

#### *Voluntary Demo Requests*

*309 Avenue A Parcel #06002-000R – Latakka Barnes, Brittany Barnes, Whitnay Barnes, and Shanna Owens*

*317 Avenue B Parcel #05981-000R – Barbara and Linnette Bailey*

A Motion was made by Commissioner Langton, second by Commissioner Lowry, to use City budgeted funds for the demolition of both structures. All in favor; Motion carried 4-0. The County will be contacted to see if they will help with the demolition and tipping fees. The properties will have a Lien placed on them to recover the City expenses.

### **Police Department – Chief Richards**

#### *Christmas Parade Route*

Chief Richards asked for Commission approval to reroute the Christmas Parade. He feels the new route would be safer, reduce parking issues, and make a more enjoyable parade. The parade would be on Highway 98, begin at Eighth Street, go to First Street, meander through the waterfront area and back to Eighth Street. The parade will begin at 6 P.M. and conclude by 7:30 P.M.

A Motion was made by Commissioner Lowry, second by Commissioner Kerigan, to reroute the parade. All in favor; Motion carried 4-0.

### **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.

#### *Ghosts on the Coast*

Clerk Pierce reminded the Commission that the Gulf County Chamber of Commerce will be handling the judging of costumes again this year and noted that trophies for the winners will be provided by Chris Karagiannis of Monolith.

### **Citizens to be Heard**

*Chester Davis* invited the Commission and public to a meeting on October 26, 2023, from 4 P.M. to 6:00 P.M. concerning renovations to the Washington Gym.

Mr. Davis provided a copy of the Gulf County Citizens' Coalition for a Healthy Future Mission Statement to the Commission.

He also asked about the possibility of a dumpster for the apartments near the church property as trash from the apartments continues to be an issue.

Mr. Anderson will talk with the owner of the apartments to see if something can be resolved concerning this.

*Clare Morris* asked for information concerning Commissioner Hoffman's previous statement about the ball fields.

Mayor Buzzett responded that the City does not have a Task Order for the project which could take a while to receive. When information is available, it will be shared.

Robert Branch shared his concerns about the 10<sup>th</sup> Street Ball Complex, and provided copies of City documents he felt were relevant to the issue.

Christy McElroy voiced her concerns about the sports complex, 10<sup>th</sup> Street Ball Complex, and funding for these projects.

Jim Martin made the Commission aware of his concerns about safety, parking for the 10<sup>th</sup> Street Ball Complex, and the County not helping with building the Field of Dreams.

Dan Doty, asked if the Commission would reverse their vote on the renovations to the 10<sup>th</sup> Street Ball Complex and go forward with the Field of Dreams.

Mayor Buzzett noted that Commissioner Hoffman made the motion, and he is the one that would need to rescind his motion before a vote could be made.

Mr. Doty questioned why Commissioner Hoffman was not at the meeting because it was a scheduled meeting that he knew about it in advance. Mayor Buzzett shared the Commissioner Hoffman was on vacation.

**Discussion Items by Commissioners**

Neither Commissioners Lowry nor Kerigan had anything additional to discuss with the Commission.

Commissioner Langston asked about the possibility of extending the walking path across Highway 71.

Mr. Anderson responded that the adjoining property is privately owned, and it would require an agreement with the property owner.

Mayor Buzzett stated he was aware of the concerns about the 10<sup>th</sup> Street Ball Complex and the Field of Dreams.


**Motion to Adjourn**

There was no other business to come before the Commission, and Mayor Buzzett adjourned the meeting at 1:30 P.M.

Approved this 7<sup>th</sup> day of November 2023.

  
\_\_\_\_\_  
Rex Buzzett, Mayor

11/7/23  
\_\_\_\_\_  
Date

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

11/7/23  
\_\_\_\_\_  
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 Circle</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      COUNTY Port St. Joe, FL 32456      Gulf	NAME OF POLITICAL SUBDIVISION: City of Port St. Joe
DATE ON WHICH VOTE OCCURRED <i>Oct 17<sup>th</sup> 2023</i>	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. Lantry, hereby disclose that on Oct 17<sup>th</sup>, 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, 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:

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.

Oct 17<sup>th</sup> 2023  
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.



Exhibit B

# 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 Circle</i>		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 <i>10/17/2023</i>		NAME OF POLITICAL SUBDIVISION: City of Port St. Joe
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

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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).

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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.

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**APPOINTED OFFICERS (continued)**

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**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, Brett L. Lowry, hereby disclose that on Oct 17<sup>th</sup>, 2023

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss, BL
- inured to the special gain or loss of my business associate, Ralph Rish
- 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 business relationships 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.

10/17/2023

Date Filed

[Signature]  
Signature

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