

**Minutes of Regular City Council Meeting
held Monday, October 5, 2015, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida.**



CALL TO ORDER:

Mayor Charlie Latham called the meeting to order at 7:00 P.M.

OPENING CEREMONIES:

The invocation was given by Council Member Wilson; followed by the Salute to the Flag.

ROLL CALL:

Mayor: William C. Latham

Council Members: Lee Buck Keith Doherty Christine Hoffman
 Bruce Thomason Phil Vogelsang Jeanell Wilson

Also present were City Manager George Forbes, and City Clerk Laurie Scott.

APPROVAL OF MINUTES

It was moved by Ms. Wilson, seconded by Ms. Hoffman and passed unanimously, to approve the following minutes as presented:

- Regular City Council Meeting held on September 21, 2015.

ANNOUNCEMENTS

Council Member Hoffman

- Ms. Hoffman reported on the Beaches Art Fest held on October 3, 2015, at the Beaches Museum and History Park.

Council Member Doherty

- Mr. Doherty announced the upcoming Beaches Oktoberfest event on October 16-18, 2015.

Council Member Thomason

- Mr. Thomason announced that October is National Breast Cancer Awareness month.

Mayor Latham

- Mayor Latham recognized the new Mayor-elect Mitch Reeves of the City of Atlantic Beach. He was in the audience at tonight's meeting.
- On September 24, 2015, the Mayor attended the opening ceremony of the new Pablo Towers facility.
- He participated in the Florida Chamber Forum last week in Orlando. The Mayor met with FDOT Secretary Boxhold and expressed his gratitude for the FDOT's continued commitment to the City to improve the drainage along A1A and SR-90.
- On October 1, 2015, he attended the ceremony for the 35th graduating class of the Citizen Police Academy.
- On October 2, 2015, he attended the retirement ceremony of Nancy Pyatte, Assistant City Clerk. The Mayor recognized Ms. Pyatte for her exceptional performance in the City Clerk's Office.
- He congratulated Jolyn Johnson and the team of volunteers for the successful Beaches Art Fest event on October 3, 2015. He expressed his gratitude to Chris Hoffman and the Beaches Museum and History Park for hosting the event.
- On October 5, 2015, he participated in the 100th birthday celebration for Ms. Alicia Carmona. Ms. Carmona was a Broadway actress in her younger days.
- He announced the Beaches Dial-a-Ride 40th Anniversary celebration would be held on October 17, 2015, at the South Beach Park Community Center.

COURTESY OF THE FLOOR TO VISITORS:

MAYOR AND CITY COUNCIL:

(a) Proclamation Presentation – International Archaeology Day

- Mayor Latham presented the Proclamation for International Archaeology Day, sponsored by Council Member Hoffman, to Nancy Scott and Dr. Melva Price.

CITY CLERK:

CITY MANAGER:

(a) Approve the Negotiated Settlement and Access License Agreement Between the City of Jacksonville Beach and the Church of Our Savior

Motion: It was moved by Ms. Wilson, seconded by Ms. Hoffman, to approve and authorize the Mayor and City Manager to sign the attached Settlement Agreement and Access License Agreement and to pay the settlement from the General Liability Insurance Fund.

Mr. Forbes discussed the settlement terms of the lawsuit with the Church of Our Savior. He asked the City Council to approve the Settlement Agreement, Access License Agreement and pay the settlement fee of \$290,000 to the Church of Our Savior.

City Attorney Susan Erdelyi reported that there was one scrivener's error on page 3 of the Settlement Agreement under paragraph 4. It references "RELEASORS" twice, and it should be "RELEASEES." The City has discussed this error with the Church of Our Savior and they approved making the change from "RELEASORS" to "RELEASEES." Mr. Forbes added for clarification that "RELEASEES" meant the City.

Mr. Doherty asked if the pedestrian access was part of the negotiations for which the settlement amount was reduced from \$305,000 to \$290,000. Mr. Forbes explained that during the mediation process, the Church of Our Savior agreed to the \$290,000 plus the access easement agreement so that they could traverse 20 feet [across city-owned property] onto their parcels. Also, should the Church of Our Savior want to move the access, they would be required to obtain the permission of the Public Works Director. The agreement also states that they can not interfere with the operations of the City's Sewer Lift Station located on the property.

Ms. Wilson asked if there were term limits on the conditional use permits. City Attorney Susan Erdelyi explained that the Church of Our Savior would have twelve months after the settlement agreement in which to submit their development plans.

Mr. Forbes stated that the Council has not just seen this for the first time tonight. This process has been ongoing for years. We have had many meetings with the City Council and our attorneys regarding the lawsuit with the Church. This is the end result of the lawsuit through mediation.

Roll call vote: Ayes – Buck, Doherty, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham. The motion carried.

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ORDINANCES:

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:20 P.M.

Submitted by: Laurie Scott
City Clerk

Approval:



William C. Latham, MAYOR

October 19, 2015

Date