

**Minutes of Regular City Council Meeting
held Monday, November 2, 2015, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida.**



CALL TO ORDER:

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

OPENING CEREMONIES:

Mayor Latham opened the meeting with a moment of silence for Anita Buck Osborn, sister of Council Member Lee Buck, who recently passed away, 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 (*absent*) Jeanell Wilson

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

APPROVAL OF MINUTES

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

- Special Council Meeting held on October 19, 2015
- Regular Council Meeting held on October 19, 2015

ANNOUNCEMENTS

Mayor Latham –

- Mayor Latham expressed his congratulations to City staff, the Jacksonville Beach Police and Fire Departments, and the Parks & Recreation Department for a successful Sea and Sky Spectacular event.
- He recognized Police Chief Pat Dooley and the Jacksonville Beach Police Department for their Halloween Party and National Night Out events on Halloween Day. Sixty-eight bicycle helmets were distributed and approximately 500 kids attended the events.

COURTESY OF THE FLOOR TO VISITORS:

Speakers:

- John Mills, 420 15th Avenue South, Jacksonville Beach discussed his concerns about speed control in his neighborhood.
- James Kirvin, 471 15th Avenue South, Jacksonville Beach discussed his concerns about speed control in his neighborhood.

MAYOR AND CITY COUNCIL

(a) Employee of the Quarter Presentation

Beaches Energy Administrative Assistant Tammi Leonard was presented with the Employee of the Quarter [3rd Quarter] Award by Mayor Latham, Beaches Energy Director Allen Putnam and Director of Human Resources Ann Meuse.

CITY CLERK:

CITY MANAGER:

(a) Approve a Draw from the Law Enforcement Trust Fund for Equipment and Related Expenses for the Community Assisted Policing Effort (CAPE) Program and Community Relations Programs at the Carver Center.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve a draw of \$1,000 from the Law Enforcement Trust Fund as described in a October 22, 2015, memorandum from the Police Chief entitled, "Draw from Law Enforcement Trust Fund for Crime Prevention Programs for the C.A.P.E Program at the Carver Center."

Mr. Forbes explained that funds from the Law Enforcement Trust Fund were seizure monies obtained from the Police Department. Chief Dooley is requesting that he be allowed to use \$1,000 of these monies for:

- Two movie nights with children at South Pablo Beach;
- Assistance to the Carver Center Staff with the South Pablo Beach Christmas party; and
- Assistance with a Fall Festival and cookout provided by Citizens on Patrol and police officers.

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

(b) Approve the 2016 Jazz Series

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the 2016 Jazz Series as described in a memo from the Deputy City Manager dated October 22, 2015.

The City Manager reported that during the budget workshops for the 2016 budget there were discussions about the merits of the City's continued production of the Jazz Series, and it was agreed to bring the item back to the City Council for final approval.

Mr. Forbes reported that Mayor Latham inquired how long has the City held the Jazz Series event. His response was last fourteen years in a row.

Mr. Doherty asked if the attendance numbers at the event have remained constant over time. Mr. Forbes stated the attendance has been kept at a fairly high level. [The event attendees have filled up the entire portion of Latham Plaza that is east of 1st Street and also areas to the west]

Mr. Forbes stated the Jazz Series was not part of the bid. He further explained we are not obligated to hold the Jazz series. However, if it is approved, we would need to begin scheduling performers soon.

Ms. Wilson stated she supported the event. She noted that we should do a better job of marketing the Jazz Series event to our local citizens.

Ms. Hoffman said she supported the Jazz Series event. She would like to see if we could locate sponsorships to help underwrite the event.

Mr. Buck stated the Jazz Series event was well publicized and attended. The event has his support.

Mr. Thomason asked if the \$57,000 cost was comparable to Jazz Series events in the past. Mr. Forbes responded the costs were in the plus or minus \$55,000 range, with most of the funds going toward hiring performers for the event.

Mr. Doherty asked if we actively seek a title sponsor for the Jazz Series. Mr. Forbes responded the City has in the past, but not in recent years.

Mayor Latham stated he supported the Jazz Series event for the 2016 year. He recommended going forward the City should explore sponsorships for the event.

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

(c) Approve a Change in Beaches Energy Services' Authorized Positions

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve a change in Beaches Energy Services' authorized positions by adding an electrical engineer position and eliminating an apprentice line worker position.

Mr. Forbes reported the City has three (3) electrical engineers on staff. In the past several years, one of the engineers has been and will have to continue to be dedicated full-time to working on the NERC (National Energy Reliability Council) Electric Reliability Standards. One full-time person is needed to manage the on-going changes to the regulations. The Beaches Energy Director is asking to hire someone to make up for that difference. Also, in 3-5 years we will have longer term employees ready to retire, so this will help us prepare for those changes.

Mr. Forbes reported the City just reduced its electric rates by \$1.00 per 1,000-kilowatt hours – which would mean a savings to our residential customers of \$12-24 per year effective October 1, 2015. He added that the City would be reducing its rates again in the next few months.

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

RESOLUTIONS:

(a) RESOLUTION NO. 1955-2015

Mayor Latham requested that the City Clerk read Resolution No. 1955-2015, by title only; whereupon Ms. Scott read the following:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, REPEALING RESOLUTION NUMBER 1864-2010; PROVIDING FOR AN EFFECTIVE DATE.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution No. 1955-2015 that will repeal Resolution 1864-2010

regarding temporary signs, and related provisions to comport with the recent Supreme Court Opinion in *Reed*.

Mr. Forbes reported that a recent U.S. Supreme Court opinion in the case of *Reed v. Town of Gilbert, Ariz.*, (U.S. June 18, 2015), impacts the traditional regulation of temporary non-commercial signs in municipal codes across the United States. The *Reed* case reached a decision that sign code provisions which separately categorize or classify temporary non-commercial signs, such as special event signs based upon the information conveyed, are now subject to strict scrutiny rather than intermediate scrutiny by the courts. In response to this recent opinion, the City should repeal Resolution No. 1864-2010 and take action to revise or replace its sign code and related provisions to comport with the Supreme Court's guidance in the *Reed* case. He stated that the City's current sign code that was written several years ago was based on previous Supreme Court decisions on signs codes that required they be content neutral. He further explained that we can regulate the size of the sign. However, we cannot regulate the content. The Council is going to repeal Resolution No. 1864-2010 and replace it with a new sign code that will be in compliance with the new Supreme Court ruling.

A discussion ensued about the difference between strict scrutiny and intermediate scrutiny by the courts.

There was a discussion on non-commercial and political signs. The City Attorney Susan Erdelyi explained that political signs are non-commercial signs.

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

ORDINANCES:

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:00 P.M.

Submitted by: Laurie Scott
City Clerk

Approval:



William C. Latham, MAYOR

Date: November 16, 2015