

**Minutes of Regular City Council Meeting  
held Monday, September 4, 2018, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**OPENING CEREMONIES**

The invocation was given by Council Member Vogelsang, followed by the salute to the flag.

**CALL TO ORDER**

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

**ROLL CALL**

Mayor: William C. Latham

Council Members: Lee Buck Keith Doherty (*absent*) Christine Hoffman  
Bruce Thomason Phil Vogelsang Jeanell Wilson (*absent*)

Also present was Interim City Manager Karen Nelson.

**APPROVAL OF MINUTES**

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

- Budget Workshop held August 13, 2018
- Budget Workshop held August 14, 2018
- Council Briefing held August 20, 2018
- Regular Council Meeting held August 20, 2018

**ANNOUNCEMENTS**

Jack W. took the floor to address the Council. He attends Landrum Middle School and is working on his *Citizenship in the Community* badge for Boy Scouts.

Mayor Latham stated, as discussed in the briefing, the Golf Course will be opening on October 5<sup>th</sup> or 6<sup>th</sup>. There will be more updates provided when available.

Kurtis Loftis took the floor to address the Council. He stated that "Deck the Chairs" received five awards at the Florida Festival and Events Association.

**COURTESY OF THE FLOOR TO VISITORS**

**MAYOR AND CITY COUNCIL**

**CITY CLERK**

**CITY MANAGER**

**(a) Item #18-162 – Approve Contracts, Effective January 1, 2019, With:**

- Florida Blue for Medical Insurance
- MetLife for Dental Insurance
- SunLife for Life Insurance
- Advantica for Voluntary Vision Insurance

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Thomason, to approve contracts, effective January 1, 2019, with Florida Blue for Medical Insurance, MetLife for Dental Insurance, SunLife for Life Insurance, and Advantica for Voluntary Vision Insurance.

**Discussion:** Ms. Nelson stated the City continued to be able to offer affordable coverage for health, dental, life, and vision and reviewed the rates.

**Roll Call Vote:** Ayes – Buck, Hoffman, Thomason, Vogelsang, and Mayor Latham.  
The motion passed unanimously.

**(b) Item #18-163 – Approve the Ten (10) Purchase Orders Issued to Seven (7) Different Vendors in Support of Emergency Testing, Inspection, and Repair Services of Substation Equipment at Sampson Substation Totaling \$530,341**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Thomason, to approve the ten (10) purchase orders issued to seven (7) different vendors in support of emergency testing, inspection, and repair services of substation equipment at Sampson Substation totaling \$530,341.

**Discussion:** Ms. Nelson discussed there were equipment failures that affected all three transformers at the Sampson substation. Beaches Energy Services Director Alan Putnam implemented several emergency purchase orders to complete all the necessary repairs. The purchase orders were approved in advance by the City Manager, which is in accordance with the City Purchasing Policy.

**Roll call vote:** Ayes – Hoffman, Thomason, Vogelsang, Buck, and Mayor Latham.  
The motion passed unanimously.

**(c) Item #18-164 – Declare Fairbanks Nijhuis/Pentair the Sole Provider for the Pollution Control Plant Effluent Pumps and Approve the Purchase of Two Effluent Pumps to Replace the Remaining Original Pumps that are No Longer Cost-Effective to Repair**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Thomason, to declare Fairbanks Nijhuis/Pentair as the sole source provider for the Pollution Control Plant effluent pumps and approve the purchase of two new effluent pumps from the Fairbanks Nijhuis/Pentair pumps provider, Sanders Company, at a total cost of \$34,643.70.

**Discussion:** Ms. Nelson stated these three pumps were originally installed in 1996. One was replaced in 2005, and the other two have been in service for 22 years. The normal life expectancy is only 8 to 15 years. Sanders Company is the sole source provider for Fairbanks Nijhuis/Pentair for these pumps. With the proposed purchase of two pumps, one will replace

a failed pump, and the other will be for back-up.

Mr. Thomason inquired about operating these pumps beyond their normal life expectancy of 8 to 15 years, and if there were any maintenance assessments completed to ensure continued operation.

Public Works Director David Millinor explained it costs several thousand dollars to take these pumps apart, so it is cost prohibitive to perform routine maintenance assessments. He stated when pump #3 was not performing. Accordingly, the pump had to be taken apart for assessment. Mr. Millinor explained the plan is to get pump #3 in operation first, then replace the pump that has been in operation for 22 years. There is a plan to purchase another pump for the one that was replaced in 2005.

**Roll call vote:** Ayes – Thomason, Vogelsang, Buck, Hoffman, and Mayor Latham.  
The motion passed unanimously.

- (d) **Item #18-165 – Approve the *Summer Court* Final Plat for the Replat of Lots 8 and 9, Block D10, Ponte Vedra Unit Two Subdivision, Creating a Six-Lot Single-Family Residential Subdivision (4200 Ponte Vedra Blvd. – *Summer Court*)**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Thomason, to approve the *Summer Court* final plat for the replat of Lots 8 and 9, Block D10, Ponte Vedra Unit Two Subdivision, creating a six-lot single-family residential subdivision.

**Discussion:** Ms. Nelson discussed the applicant wants to subdivide two large lots into six single-family lots. This has received approval from all required City Boards and is consistent with the Land Development Code and Comprehensive Plan regulations.

Senior Planner Heather Ireland took the floor to address the Council and added there would be two retention ponds on site, which will be privately managed by the Home Owners Association. Ms. Ireland stated each lot would be over ten thousand square feet.

**Roll call vote:** Ayes – Vogelsang, Buck, Hoffman, Thomason, and Mayor Latham.  
The motion passed unanimously.

## **RESOLUTIONS:**

- (a) **Item #18-166 RESOLUTION NO. 2020-2018**

Mayor Latham requested that the City Clerk read Resolution No. 2020-2018 by title only, whereupon Ms. Scott read the following:

**“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA TENTATIVELY APPROVING AMENDMENTS TO THE JACKSONVILLE BEACH 2030 COMPREHENSIVE PLAN FOR THE PURPOSE OF ADOPTING THE 10-YEAR WATER SUPPLY FACILITIES WORK PLAN, IN ORDER TO COMPLY WITH CHAPTER 369, PART III, FLORIDA STATUTES, AMENDING THE POTABLE WATER SUB-ELEMENT, CONSERVATION ELEMENT, AND INTERGOVERNMENTAL COORDINATION ELEMENT OF THE COMPREHENSIVE PLAN, AND AUTHORIZING TRANSMITTAL OF SAID AMENDED ELEMENTS TO THE FLORIDA DEPARTMENT OF ECONOMIC**

**OPPORTUNITY.”**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Thomason, to adopt Resolution No. 2020-2018, tentatively approving text amendments to the Jacksonville Beach 2030 Comprehensive Plan and authorizing transmittal of the proposed amendments to the Florida Department of Economic Opportunity for review.

**Summary:** Ms. Nelson requested Senior Planner, Ms. Ireland, to introduce this Resolution. Ms. Ireland explained the water source protection policies and reviewed the proposed amendments. She stated this is the first time the City has compiled a local water supply facilities work plan, and it will be part of the Comprehensive Plan. Ms. Ireland stated they are working with the Public Works Department and the St. Johns River Water Management District (SJRWMD) to collect data on the current population and current water use, in addition to the projected water demand over the next ten years. The City of Jacksonville Beach has not been identified with a water supply deficit and is in good shape.

**Roll call vote:** Ayes – Buck, Hoffman, Thomason, Vogelsang, and Mayor Latham.  
The motion passed unanimously.

**(b) Item #18-167 RESOLUTION NO. 2021-2018**

Mayor Latham requested that the City Clerk read Resolution No. 2021-2018 by title only, whereupon Ms. Scott read the following:

**“A RESOLUTION AUTHORIZING THE CONSTRUCTION AND MAINTENANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF NEPTUNE BEACH DETAILING OWNERSHIP OF AND RESPONSIBILITIES FOR THE COST, CONSTRUCTION, OPERATION, MAINTENANCE AND REPAIR OF THE NEW BRIDGE AND ROADWAY APPROACHES AT SEAGATE AVENUE IN JACKSONVILLE BEACH AND NEPTUNE BEACH, FLORIDA, AS PART OF THE FDOT’S STATE ROAD A1A DRAINAGE IMPROVEMENTS PROJECT, FINANCIAL PROJECT NUMBER 436077-1-52-01.”**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Thomason, to adopt Resolution No. 2021-2018, authorizing the Mayor and the Interim City Manager to execute with the Florida Department of Transportation and the City of Neptune Beach the Construction and Maintenance Agreement detailing ownership of, and responsibilities for, the maintenance and repair of the new bridge and roadway approaches at Seagate Avenue.

**Summary:** Ms. Nelson reviewed the key provisions and the project map. This project is underway, and Ms. Nelson reviewed the timeline of this project to date:

- June 2017- City Council approved perpetual easements at the new bridge’s location.
- December 2017- City Council authorized the execution of the Florida Department of Transportation standard Construction and Maintenance Agreement for the 15<sup>th</sup> Avenue North and 18<sup>th</sup> Avenue North bridges.
- Seagate Avenue is shared by both Jacksonville Beach and Neptune Beach and is

before the Council now. The construction and maintenance agreement for the Seagate Avenue bridge will also be presented to the Neptune Beach City Council for approval.

There was a brief discussion about bridge issues and financial responsibility for the bridge. The Florida Department of Transportation owns the bridge, and it was confirmed that bridge maintenance is the responsibility of the Cities of Jacksonville Beach and Neptune Beach. In the event of bridge failure caused by an emergency, i.e., storm, flooding, it would become the responsibility of the Florida Department of Transportation.

**Roll call vote:** Ayes – Hoffman, Thomason, Vogelsang, Buck, and Mayor Latham.  
The motion passed unanimously.

### **ORDINANCES:**

**(a) Item #18-168 ORDINANCE NO. 2018-8110 (First Reading)**

Mayor Latham requested that the City Clerk read Ordinance No. 2018-8110 by title only, whereupon Ms. Scott read the following:

**“AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING ARTICLE VII. ZONING DISTRICTS, DIVISION 2, SECTION 34-346. INDUSTRIAL DISTRICT: I-1, PARAGRAPH (B) *PERMITTED USES* TO ADD “TOUR OPERATORS” AS SUBPARAGRAPH (20); TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.”**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Thomason, to adopt Ordinance No. 2018-8110, amending the Land Development Code to add “Tour Operators” to the list of permitted uses in the City’s *Industrial: I-1* zoning districts.

**Summary:** Ms. Nelson stated there is an applicant who wants to lease warehouse tenant space at 1250 Shetter Avenue. This is for a tour operator business office and storage of their passenger touring vehicles. The Planning Commission heard this request and recommends adding “Tour Operators” as a permitted use.

Stephanie Dale took the floor to address the Council. She is the owner of the business ‘Go Tuk’n.’ Ms. Dale explained these are open-air, three-wheeled electric vehicles called tuk-tuks. They are thirteen (13) feet long, hold six (6) passengers, excluding the driver. Ms. Dale stated the plan is to conduct architectural and historical tours and also do specialty events.

Ms. Hoffman stated that, as the Executive Director of the Beaches Museum, she had conversations with Ms. Dale regarding the historical tours. She stated this would be a great addition to the beaches.

Discussion ensued raising questions about conditional use, the number of vehicles in

operations, operating on public streets, employee licensing, and safety features.

Ms. Dale responded there are four (4) vehicles, allowing six (6) passengers each, and the goal is to provide an experience, not just a shuttle service. The vehicles are regulated by the Florida Department of Transportation and can travel at speeds of up to 35 miles per hour. They can be operated on public streets, have safety belts, and have doors and top covers. No alcoholic beverages are allowed.

The drivers are required to have a regular drivers license, will receive a two-week orientation course, and take an online defensive driving course. A chauffeur's license is not required because the vehicles are under the weight limit and length requiring that type of license.

**Roll call vote:** Ayes – Thomason, Vogelsang, Buck, Hoffman, and Mayor Latham.  
The motion passed unanimously.

**(b) Item #18-169 ORDINANCE NO. 2018-8111 (First Reading)**

Mayor Latham requested that the City Clerk read Ordinance No. 2018-8111 by title only, whereupon Ms. Scott read the following:

**“AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA; AMENDING CHAPTER 5, “ANIMALS AND FOWL,” ARTICLE II. – DOGS AND CATS, DIVISION 1. – IN GENERAL, SECTION 5-36 “RESERVED,” ADDING NEGLECT, ABANDONMENT, CONFINEMENT, TETHERING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.”**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Thomason, to adopt Ordinance No. 2018-8111, amending Chapter 5 of the City of Jacksonville Beach Code of Ordinances by adding Section 5-36 titled Neglecting, Abandoning Animals, Animals Confinement, Tethering.

**Summary:** Ms. Nelson stated the current code does not address animal cruelty for issues of neglect, abandonment, confinement, and tethering, thus hindering the ability of the Animal Control Officer to take action for those offenses. Also, currently there is no civil enforcement action nor the possibility of bringing an animal neglect case before the City's Special Magistrate. This Ordinance will provide guidance for the treatment of animals and allow enforcement by the City's Animal Control Officer.

Mayor Latham advised the Animal Control Officer, Ms. Kelsey Eberle, that she has the full support of the Council.

**Roll call vote:** Ayes – Vogelsang, Buck, Hoffman, Thomason, and Mayor Latham.  
The motion passed unanimously.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 7:36 P.M.

Submitted by: Laurie Scott  
City Clerk

Approval:



William C. Latham, MAYOR

Date: 9/17/2018

LS/njp