

**Minutes of Regular City Council Meeting
held Monday, September 17, 2018, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES

In lieu of an invocation, Mayor Latham requested a moment of silence to honor the eighteen people in the Carolinas who recently lost their lives during Hurricane Florence. This was 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 Christine Hoffman
Bruce Thomason Phil Vogelsang Jeanell Wilson

Also present was Interim City Manager Karen Nelson.

APPROVAL OF MINUTES

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

- Special City Council Meeting Held September 4, 2018
- City Council Briefing Held September 4, 2018
- Regular City Council Meeting Held September 4, 2018

ANNOUNCEMENTS

Mr. Vogelsang spoke about attending the Jacksonville Jaguars football game on Sunday and the recognition given to the City of Jacksonville Beach Police Corporal Bill Eierman.

Ms. Wilson also spoke about the Jaguars football game and Police Corporal Bill Eierman. She reminded everyone about the Jax **Beach Classic Car** Cruise Tuesday evening in Latham Plaza.

COURTESY OF THE FLOOR TO VISITORS

Liz Stewart, 1125 Osceola Avenue, Jacksonville Beach, spoke about the increase of short-term/vacation rentals happening in single-family residential neighborhoods and the negative effects and safety concerns created for the surrounding residents. She added one of the homes in her neighborhood advertises accommodations for up to 18 people; and there is inadequate parking, loud parties, and constant disturbances throughout the day and night. The police have been called many times. Ms. Stewart stated she had been contacted about selling her property as there are plans to expand this business in her neighborhood.

Mayor Latham advised Ms. Stewart that the City is working on this and that a meeting was held with Senator Bean and Representative Byrd for guidance about taking action regarding these short-term/vacation rentals.

Planning Director Bill Mann stated the City Attorney is working on a Resolution and determining how staff will enforce the regulations.

Greg Kenny, 1061 Osceola Avenue, Jacksonville Beach, also spoke about the short-term/vacation rentals and how they are being advertised as 'party houses' for 15 or more people at one time. He stated this business has plans to monopolize his neighborhood with more of these rentals. Mr. Kenny noted these homes are operated as a business, yet the owner pays residential rates, not commercial rates, for utilities and other City services.

Ellen Foley, 4235 Marsh Landing Boulevard, Jacksonville Beach, spoke about having a public venue for playing croquet. She stated a croquet court only requires 28 X 35 square yards and suggested using an area at the newly renovated Golf Course, as the two sports share similarities.

Ken Marsh, 2011 Gail Avenue, Jacksonville Beach, spoke about recent articles published in The Beaches Leader regarding the Downtown Vision Plan. Mr. Marsh spoke about his plan to organize the Jacksonville Beach Downtown Vision Coalition and provided a summary to the Council explaining the goals and strategy for citizen involvement.

Mick DuRocher, 41 Millie Drive, Jacksonville Beach, expressed concerns about the out-of-control downtown area, the paid parking program, crime, and the over-serving of alcohol in restaurants and bars.

MAYOR AND CITY COUNCIL

CITY CLERK

CITY MANAGER

(a) Item #18-173 – Approve the Monthly Financial Reports for the Month of August 2018

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to accept the monthly financial reports for the month of August 2018, as submitted by the Chief Financial Officer.

Discussion: No discussion.

Roll Call Vote: Ayes – Buck, Doherty, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham.

The motion passed unanimously.

(b) Item #18-174 – Appoint One Member and Two Alternates to the Board of Adjustment

Discussion: Mayor Latham stated the next two items discuss appointing members and alternates to boards. The Mayor asked the Council to review the application and selection process for the appointees and to allow for any questions before making a motion.

Ms. Hoffman expressed concern about the two-year residency requirement for appointment to a board being too long, in comparison to the six-month requirement to run for City

Council. She stated the City is overlooking very qualified candidates with that current requirement.

Ms. Wilson agreed with Ms. Hoffman about lessening the residency requirement. She suggested having the terms for the all of the board appointees expire at the same time, rather than tracking staggered dates and making appointments multiple times a year.

Mr. Thomason inquired about Mr. Walker's application that identifies the Planning Commission and Community Redevelopment Agency as his choices, yet the spreadsheet indicates he picked the Board of Adjustment.

The City Clerk responded that during his interview on January 18, 2018, Mr. Walker made the request for the Board of Adjustment, and it was noted on the spreadsheet. He did not change his application.

Discussion ensued about postponing the alternate appointments tonight, doing more advertising for recruitment/applicants, and having a workshop to review and clarify the current tracking process.

Planning Director Bill Mann addressed the Council. He stated that lapses in these positions create problems guaranteeing a quorum for meetings, which is problematic for the applicants and will cause delays in the application/hearing schedule. Mr. Mann emphasized the alternates and the regular members are equally important to keep filled to ensure a quorum in the event of an unexpected absence.

Mayor stated he still wants to have a workshop to review and clarify the current application requirements and the tracking process, as this is an on-going issue.

Motion: It was moved by Mr. Vogelsang to reappoint John Moreland to the Board of Adjustment and to table any action for the 2nd Alternate until after the workshop.

Mr. Buck spoke about his prior involvement in the Board of Adjustment. He stated delaying action would be a disservice to this Board and the applicants.

Mr. Thomason inquired about Mr. Cater's application that indicates the Community Redevelopment Agency as the first choice and Board of Adjustment as the second choice, but the spreadsheet shows just the opposite.

The City Clerk responded that Mr. Cater made that request to change the Board of Adjustment to his first choice, and Community Redevelopment Agency to his second choice.

Mr. Doherty concurred the process needs to be streamlined but suggests proceeding with the appointments on the agenda. After the workshop is completed, it could still take a couple of months before any changes are implemented. The goal is to get more people interested in serving and to make it educational and easy.

Mr. Vogelsang withdrew his motion.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to nominate John Moreland for reappointment to the Board of Adjustment for a four-year term expiring on December 31, 2021.

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

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to nominate Lucas Snyder as 1st Alternate with a term expiring on December 31, 2019 [Board of Adjustment].

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

Motion: It was moved by Ms. Wilson and seconded by Mr. Thomason, to nominate Gary Cater as 2nd Alternate with a term expiring on December 31, 2019 [Board of Adjustment].

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

(c) **Item #18-175 – Appoint One Member and Two Alternates to the Planning Commission**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to nominate Margo Moehring for appointment to the Planning Commission for a new four-year term expiring December 31, 2021.

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

Motion: It was moved by Mr. Vogelsang and seconded by Ms. Wilson, to nominate Jon Scott Walker as 1st Alternate [Planning Commission, for a term expiring December 31, 2020].

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

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to nominate Bill Spann [Planning Commission, as 2nd Alternate for a term expiring December 31, 2019].

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

Mayor Latham asked the City Clerk to coordinate with the City Manager to put together the materials and agenda for the workshop.

(d) Item #18-176 – Approval of Bid No. 1718-24 – One (1) Distribution Transformer

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to award Bid No.1718-24 to Gresco, Inc. for the purchase of a 2500 KVA distribution transformer.

Discussion: Ms. Nelson stated Baptist Medical Center Beaches is expanding their surgical facilities which required an upgrade to the electric service. BES recently upgraded two transformers from 1500 KVA to 2500 KVA. To ensure continuity of service at Baptist Medical Center Beaches, the City is purchasing a third 2500 KVA transformer as a spare, which will take 10 – 12 months to receive. Three bids were received, with Gresco, Inc. being the lowest at \$40,835, and this is in the current operating budget.

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

RESOLUTIONS:

(a) Item #18-177 RESOLUTION NO. 2022-2018

Mayor Latham requested that the City Clerk read Resolution No. 2022-2018 by title only, whereupon Ms. Scott read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA ESTABLISHING GOLF COURSE FEES, AND ESTABLISHING DEFINITIONS AND GUIDELINES FOR THE GOLF OPERATION.”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution No. 2022-2018, establishing rates for the Jacksonville Beach Golf Course.

Summary: Ms. Nelson stated the golf course has been closed for renovation since January 2018 and is expected to re-open October 13, 2018. The current rate structure is being revised for operational efficiency and to be competitive in the local market. Ms. Nelson noted changes for annual membership dues, open rates, weekend rates, driving range fees, City employee rates, afternoon rates, and twilight rates. There is also a comparison chart listing four other golf courses and their rates.

The Council extended their thanks and appreciation to Lorraine Troendle for doing an outstanding job with the course photos and updates.

There was a brief discussion about the annual passes and their discontinuation in 2002. Ms. Nelson stated there are currently six (6) annual pass holders that were grandfathered in and they continue to renew their annual passes. This was kept in the Resolution for reference on how to calculate the rate.

Mr. Doherty addressed the section about City Council members qualifying for employee memberships with no annual membership fees. He would like this section removed.

Ms. Nelson stated the Council would still be eligible for membership at the Beaches Energy Services residential customer rate.

Motion: It was moved by Mr. Doherty and seconded by Mr. Thomason, to remove the section stating City Council members qualify for employee memberships with no annual fees.

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

There was a brief discussion about the difference between the annual passes and annual memberships.

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

(b) Item #18-178 RESOLUTION NO. 2023-2018

Mayor Latham requested that the City Clerk read Resolution No. 2023-2018 by title only, whereupon Ms. Scott read the following:

“A RESOLUTION AMENDING THE CITY OF JACKSONVILLE BEACH POSITION CLASSIFICATION AND PAY PLAN FOR MANAGERIAL, PROFESSIONAL, ADMINISTRATIVE AND UNCLASSIFIED (NON-UNION) POSITIONS. (To add a Golf Course Facility Manager position)”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution No. 2023-2018, amending the Position Classification and Pay Plan for Managerial, Professional, Administrative and Unclassified (Non-Union) Positions to add a Golf Course Facility Manager position, effective September 17, 2018.

Summary: Ms. Nelson stated the golf course operations review also included an assessment of management and staffing. There is a need for a Golf Course Facility Manager for marketing the golf course; budgeting; supervising staff and instructors; and managing the pro shop, clubhouse, and restaurant.

This position will assume responsibilities currently performed by the Golf Professional. The Golf Professional position is being removed from the pay plan. Golf Professionals will continue to give lessons on a contract basis. The City will employ two full-time and two part-time Golf Shop Attendants, instead of the current nine part-time employees.

Ms. Nelson stated no budget adjustment is necessary because this is a reorganization.

Mr. Vogelsang questioned the requirement for a Bachelors Degree and having previous, progressive managerial experience in a golf club for this position. This could potentially limit qualified candidates. Ms. Nelson explained there would be flexibility considering a combination of education and experience.

Mr. Doherty inquired about financial incentives and additional pays for this (or any) position. Ms. Nelson stated the current pay plan does not allow it.

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

ANNOUNCEMENTS (Continued)

Mayor Latham invited a boy scout sitting in the audience to the podium to address the Council. Shane Lee addressed the Council stating he is attending the meeting as part of earning his Communications Merit badge for Boy Scouts.

Vincent Will, another young visitor, is attending the meeting because his mother wanted him to come with her.

ORDINANCES:

(a) Item #18-179 ORDINANCE NO. 2018-8110 (Second 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. Wilson and seconded by Ms. Hoffman, 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. (Applicant – **go Tuk’n**)

Summary: Ms. Nelson stated the applicant Stephanie Dale would like to lease warehouse tenant space at 1250 Shetter Avenue, for a tour operator business office and storage of passenger touring vehicles. The Planning Commission heard this request, and it is their recommendation to add “Tour Operators” as a permitted use.

Mayor Latham opened a Public Hearing. There were no speakers, and the Public Hearing was closed.

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

(b) Item #18-180 ORDINANCE NO. 2018-8111 (Second 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. Wilson and seconded by Ms. Hoffman, 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. She added there currently is no civil enforcement action, nor a possibility of bringing a case before the City’s Special Magistrate. This Ordinance will provide and allow enforcement by the City’s Animal Control Officer.

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

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:15 P.M.

Submitted by: Laurie Scott
City Clerk

Approval:


William C. Latham, MAYOR

Date: 10-2-18

LS/njp