

**Minutes of Regular City Council Meeting
held Monday, August 19, 2019, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES:

Mayor Latham requested everyone rise for a moment of silence for two Firefighters missing at sea, 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: Keith Doherty Georgette Dumont Sandy Golding
Christine Hoffman Cory Nichols Phil Vogelsang

Also present were City Manager Mike Staffopoulos and Acting City Attorney Denise May.

APPROVAL OF MINUTES:

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

- Council Workshop held on July 29, 2019
- Budget Showcase held on August 2, 2019
- Budget Workshop held on August 5, 2019
- Council Briefing held on August 5, 2019
- Budget Workshop held on August 6, 2019
- Budget Workshop held on August 12, 2019

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

- Regular Council Meeting held August 5, 2019
- Budget Workshop held on August 8, 2019

Council Member Golding requested these minutes be amended to correct some scrivener's errors.

Amended Motion: It was moved by Ms. Golding, seconded by Mr. Vogelsang, and passed unanimously, to approve the minutes as amended.

ANNOUNCEMENTS:

Council Member Doherty thanked City staff and his colleagues for the hard work put into the budget workshops. He apologized for not being here and stated he was out of the country.

Council Member Golding stated she attended the Florida League of Cities conference.

Council Member Nichols stated he believes there is a misconception of what a parking garage looks like and said restaurants, shops and parking garages are not mutually exclusive. Mr. Nichols would like to refer to a parking garage as a mixed-use plaza project when discussed in the future.

Mayor Latham stated he attended the Florida League of Mayors and the Florida League of Cities conference. He noted the President of the Florida League of Mayors named him [Mayor Latham] as Chairman of the Short-Term Rental Sub-committee.

COURTESY OF THE FLOOR TO VISITORS:

- Ken Marsh, 2011 Gail Avenue, Jacksonville Beach, spoke about his ideas on the Downtown Vision Plan and suggested a possible community committee.
- Casey Jones, 125 11th Street, Atlantic Beach, expressed his gratitude to the City Manager for the steps taken to provide better protection for sea turtles.
- Rebecca Like, 1017 2nd Street North, Jacksonville Beach, spoke about the Downtown area and how it could offer more dining options. Ms. Like also favored a possible community committee.
- Ron Taylor, 360 13th Avenue North, Jacksonville Beach, stated there is a need for more public safety in the community to help change the culture of Jacksonville Beach.
- Gary Paetau, 725 Bonaire Circle, Jacksonville Beach, spoke about his concerns regarding planning in the City as it relates to neighborhoods.
- Alan Leslie, 2309 Coste Verde Boulevard, Jacksonville Beach, spoke about the need for increased police presence in the Downtown area.

MAYOR AND CITY COUNCIL:

CITY CLERK:

CITY MANAGER:

Item #19-144 – Approve the Monthly Financial Reports for the Month of July 2019

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve the Monthly Financial Reports for the Month of July 2019.

Council Member Dumont asked for clarification regarding the expenditures for Building Maintenance. Chief Financial Officer Ashlie Gossett stated minor repairs are scheduled for the City Hall building as well as the annual load test on the generator. Ms. Gossett also stated a memo to Council would be presented at an upcoming meeting for approval to pay for the emergency replacement of the air conditioning units that serve the second floor of City Hall, which was scheduled to be replaced in FY2020.

Roll Call Vote: Ayes – Doherty, Dumont, Golding, Hoffman, Nichols, Vogelsang, Mayor Latham
The motion passed unanimously.

Item #19-145 – Award RFP No. 06-1819 for Inspection Services to Universal Engineering Sciences, Inc.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to Award RFP No. 06-1819 for Inspection Services to the highest-ranked respondent to Universal Engineering Sciences, Inc.

Mr. Staffopoulos stated the City's Building Department is small in comparison to other jurisdictions. Contractual services are occasionally needed for plan reviews and field inspections. An RFP was advertised and Universal Engineering Sciences was the highest-ranking company.

Council Member Dumont expressed concern regarding a contracted inspector approaching and visiting a residential property and not identifying as a contracted employee of the City. Building Official George Knight stated the contractors are needed to assist with inspections at commercial sites. Council Member Hoffman also had concerns regarding contracted workers representing the City at residential properties. Mr. Knight explained he does the commercial inspections and would continue to do so, but may need assistance with anticipated large projects coming up.

Roll Call Vote: Ayes –Dumont, Golding, Hoffman, Nichols, Vogelsang, Doherty, Mayor Latham
The motion passed unanimously.

Item #19-146 – Defer Second Reading of Short Term Rental Ordinance No. 2019-8118 to September 3, 2019

Mr. Staffopoulos stated due to recent legislation by the State of Florida regarding Short Term Rentals, a two-week deferral on this item was being requested to allow the City Attorney to review new case law.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to defer Ordinance No. 2019-8118, as amended, amending the Land Development Code Chapter 34 to define and regulate short term vacation rentals, where permitted, to a date certain of Tuesday September 3, 2019.

Roll Call Vote: Ayes –Golding, Hoffman, Nichols, Vogelsang, Doherty, Dumont, Mayor Latham
The motion passed unanimously.

Item #19-147 – Consider Modifying a Submission to the Commission on Ethics continuation from August 5, 2019

Mr. Staffopoulos explained since the August 5, 2019, City Council meeting, when this item was tabled, additional information regarding the \$25,000 deductible had been obtained. He noted the previous information received had been clarified. The \$25,000 deductible was specific to any claims for damages. There is a zero deductible for legal defense.

Acting City Attorney Denise May clarified the procedures for withdrawing an official complaint and resubmitting a request for an opinion.

The following spoke regarding the agenda item:

- Jon McGowan, 5 North 17th Avenue #401, Jacksonville Beach

Council Members Dumont and Hoffman would like the process to continue with the currently filed complaint.

Mr. Nichols stated the former City Attorney, Susan Erdelyi, should be available for any questions the Council may have regarding any previous complaints regarding Council Members.

Council Member Golding stated she spoke to Executive Director for the Commission on Ethics Chris Anderson for further understanding and opinion. Ms. Golding said she was told the result would be a more definitive statement of the violation or lack thereof. Ms. Golding asked if the three specific questions from Ms. May's opinion memo were filed in the original complaint and if the Council could amend the complaint to include the three specific questions for clarity.

Ms. May stated she contacted the Commission on Ethics and a complaint can be amended. It is usually amended with factual information. By including the three specific questions, the Commission may see the amendment as limiting. Ms. Dumont stated the three specific questions could be addressed at a later time once the case is settled.

Motion: It was moved by Ms. Dumont and seconded by Ms. Golding to move forward on the original process.

Roll Call Vote: Ayes –Hoffman, Nichols, Doherty, Dumont, Golding, Mayor Latham
Abstain – Vogelsang
The motion passed.

Item #19-148 – Authorize an Amendment to the Interlocal Agreement between the City of Jacksonville Beach and the City of Jacksonville for Advanced Life Support and Fire Services.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve an amendment to the Interlocal Agreement between the City of Jacksonville Beach, Florida, and the City of Jacksonville, Florida for Advance Life Support and Fire Services.

Mr. Staffopoulos stated after auditors with the City of Jacksonville reviewed the proposed contract, Jacksonville Administration is requesting an amendment to Article 7(e). Mr. Staffopoulos reviewed the changes to the contract regarding the unfunded actuarial accrued liability of the Jacksonville Beach Firefighters' Retirement Plan.

Council Member Vogelsang asked what the rate of return was for the City's other Pension Plans are. Mr. Staffopoulos stated last year the City rate of return was 8%, this year it is at 7.9%, FY2020 would be at 7.75% and the following year would be at 7.5%. Mr. Staffopoulos stated the City is in a gradual decrease with the assumed rate of return.

Roll Call Vote: Ayes –Nichols, Vogelsang, Doherty, Dumont, Golding, Hoffman, Mayor Latham
The motion passed unanimously.

RESOLUTIONS:

ORDINANCES:

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:54 P.M.

Submitted by: Laurie Scott
City Clerk

LS/jb

Approval:



William C. Latham, MAYOR

Date: 9/16/19