

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



**OPENING CEREMONIES:**

Council Member Vogelsang provided the Invocation, followed by the salute to the flag.

**CALL TO ORDER:**

Mayor Latham called the meeting to order at 7:03 P.M.

**ROLL CALL:**

Mayor: William C. Latham

Council Members: Keith Doherty      Georgette Dumont      Sandy Golding  
Christine Hoffman      Cory Nichols (*Absent*)      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:

- Special City Council Meeting held on September 9, 2019 (Tentative Budget)
- Special City Council Meeting held on September 16, 2019 (Budget Adoption)
- Executive Session of the City Council held on September 16, 2019 (Litigation)
- Regular Council Meeting held on September 16, 2019

**ANNOUNCEMENTS:**

Council Member Golding called Police Chief Gene Paul Smith to the podium to recognize the contributions of the Citizen Police Academy Alumni Association. Chief Smith stated there had been between 10,500-11,000 volunteer hours this year to date.

Council Member Dumont stated she is currently attending the Florida Public Pension Trustees Association Conference. She is an appointed member of the City's Pension Board of Trustees.

Mayor Latham announced the HMS Queen Elizabeth is in port. Mayor Latham commended Chief Smith and his staff for making sure the City is prepared for the influx of visitors, and working with a liaison with The Royal Navy.

**COURTESY OF THE FLOOR TO VISITORS:**

- Cheryl Carleton, 2055 Lakeside Drive, Jacksonville Beach, spoke about the gate at the end of the cul-de-sac on Lakeside Drive.

Mayor Latham responded to Ms. Carleton's comments by stating the Council discussed the issue during the Council Briefing held before this Council Meeting. The City made a commitment and intends to close the gate, and use it only for emergencies when the Kings Road Bridge is completed.

- Toby and Hays Jackson, 2022 Lakeside Drive, Jacksonville Beach, thanked the Mayor and Council.
- Mary Frosio, 1830 Nightfall Drive, Neptune Beach, spoke about previous promises from prior City Managers and Councils regarding the gate on Lakeside Drive, and hoped there was a way to permanently end the discussion.

The following completed Speaker Request Cards, but chose not to speak following Mayor Latham's comments regarding Lakeside Drive:

- Cole Simpson, 2027 Lakeside Drive, Jacksonville Beach
- Jacqueline Phillips, 75 Oakwood Road, Jacksonville Beach
- Brian Duerr, 2014 Lakeside Drive, Jacksonville Beach

Courtesy of the Floor to Visitors continued:

- Gary Paetau, 725 Bonaire Circle, Jacksonville Beach, spoke about city planning and development, and referenced issues in Ashville, North Carolina.
- Ken Marsh, 2011 Gail Avenue, Jacksonville Beach, spoke about the lack of regular meetings held by the Community Redevelopment Agency, and a downtown strategy and vision.

#### **MAYOR AND CITY COUNCIL:**

#### **CITY CLERK:**

#### **CITY MANAGER:**

#### **Item #19-169 – Approve Employment Agreement with Mr. Chris Ambrosio for the Position of City Attorney**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve the Employment Agreement with Mr. Chris Ambrosio for the position of City Attorney.

A brief discussion ensued regarding the Agreement, and a notation was made of a scrivener's error to be corrected.

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

#### **Item #19-170 – Authorize the Mayor and City Manager to Execute an Agreement with the Duval County Property Appraiser and Tax Collector for the Use of Property Tax Collections to Fund Property Tax Audit Services**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to authorize the Mayor and City Manager to execute an agreement with the Duval County Property Appraiser and Tax Collector for the use of property tax collections to fund property tax audit services.

Mr. Staffopoulos explained the Property Appraiser occasionally has the ability to use outside auditing firms to try and find inconsistencies with reporting at the county level. This was previously done in 2016 with Homestead Exemptions. The City is being asked again to participate to do research of Tangible Personal Property (TPP).

Duval County Property Appraiser Jerry Holland, 231 East Forsyth, Jacksonville, addressed the Council. Mr. Holland explained Jacksonville Beach is one of eight taxing districts in the county. He stated the Homestead Exemptions compliance audit in 2016 netted Jacksonville Beach approximately \$134,000. County wide, there was approximately \$2.5 million in recovery. Mr. Holland explained TPP is self-reported, which may lead to under reporting. He hoped the audit would encourage people to fully report as well as finding those who have not been reporting.

In response to a question from Ms. Dumont, Mr. Holland explained what TPP is and the process of how it would be assessed.

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

**Item #19-171 – Award RFP No. 08-1718 VOIP (Voice Over Internet Protocol) Phone Solution**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to award RFP. No. 08-1718 VOIP (Voice Over Internet Protocol) Phone Solution to Touchpoint, Inc.

Mr. Staffopoulos explained the City needs a modernized phone system to conduct communications business.

Mr. Staffopoulos, Information Services Supervisor Kent Haines, and Director of Parks and Recreation Jason Phitides responded to questions from Council on the following:

- Funding for the project from 2018 was rolled back into the General Capital Projects Fund
- Confirmed 9-1-1 service is not included in this project as management of 9-1-1 is done by the Jacksonville Sheriff's Office; however, Police Department staff phone lines are included in the project
- Confirmed each desktop computer or hard phone on a desktop would have a physical address location associated to it
- Explained the Lifeguard Station phone is paid by the Volunteer Life Saving Corps and not included in this project
- Confirmed the project does not include City cell phones
- Confirmed no maintenance cost increase for the five-year agreement

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

**Item #19—172 – Authorize the City Manager to Sign an Agreement with ChargePoint, Inc., for Services to Support Two Level 2 Plug-in Electric Vehicle Charging Stations Installed in Downtown Area Public Parking Lots**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to authorize the City Manager to sign an Agreement with ChargePoint, Inc., for services to support two Level 2 plug-in electric vehicle charging stations installed in downtown.

Mr. Staffopoulos explained the item authorizes the activation of two electric charging stations that have been installed, but are not yet turned on.

Director of Planning and Development Bill Mann stated the charging stations were provided at no cost to the City through the North Florida Transportation Planning Organization. Mr. Mann answered Council questions regarding maintenance, usage of existing charging stations, and confirmed the City, if decided, can remove the stations after two years.

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

**Item #19-173 – Approve the Resurface of Seven (7) Tennis Courts at Huguenot Tennis Facility by Nidy Sports Construction Co., in the Amount of \$44,925.00**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve the resurface of seven (7) tennis courts at Huguenot Tennis Facility by Nidy Sports Construction Co., in the amount of \$44,925, as described in the memorandum from the Director of Parks and Recreation dated September 11, 2019.

Mr. Staffopoulos explained the resurfacing should provide new surfaces at the tennis courts and last approximately 8-10 years.

Council Member Doherty asked about the status of the addition of a new tennis court previously approved by the Council. Mr. Phitides responded an assessment of the basketball court usage is being done, and so far, it appears there is a lot of use. The results of the assessment will be used to determine where to put the basketball court. The addition of an eighth tennis court is still needed and the plans would continue once a workable plan is in place that would not affect the footprint of the park. Mr. Phitides confirmed this item is for the existing seven tennis courts.

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

**Item #19-174 – Approve the City Manager’s Authorization for the Emergency Point Repair of the Partially Collapsed 10-inch Cast Iron Sanitary Sewer Main and Site Work Restoration on 3<sup>rd</sup> St. N. between 11<sup>th</sup> and 12<sup>th</sup> Ave. N.**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve the City Manager’s authorization for the emergency point repair of the partially collapsed 10-inch cast iron sanitary sewer main and site work restoration on 3<sup>rd</sup> Street North, between 11<sup>th</sup> and 12<sup>th</sup> Avenue North.

Mr. Staffopoulos stated whenever there is a collapsed pipe under a section of A1A [3<sup>rd</sup> Street], the City cannot wait for authorization. It would be repaired before it destroys travel lanes. This item is requesting after-the-fact authorization.

City Engineer Marty Martirone explained the pipe was installed over 30 years ago in 1981. The lines are checked (televised) on an annual basis to look for problem areas. Mr. Staffopoulos added the age of the pipe is not necessarily the issue, rather where the Hydrogen Sulfide gas pockets accumulate in the system.

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

**RESOLUTIONS:**

**Item #19-175 – RESOLUTION NO. 2039-2019**

Mayor Latham requested the City Clerk read Resolution No. 2039-2019 by title only, whereupon Ms. Scott read the following:

**“A RESOLUTION OF BEACHES ENERGY SERVICES, FLORIDA, APPROVING THE FORM AND CONTENT OF THE THIRD AMENDED AND RESTATED INTERLOCAL AGREEMENT DATED AS OF MARCH 25, 2011, AUTHORIZING THE EXECUTION OF THE ASSUMPTION AGREEMENT AND THE GAS SERVICES AGREEMENT AND AUTHORIZING THE DELIVERY OF SUCH INSTRUMENTS TO FLORIDA GAS UTILITY; PROVIDING FOR THE MAKING OF PAYMENTS PURSUANT TO SAID GAS SERVICES AGREEMENT; APPOINTING A DIRECTOR AND AN ALTERNATE DIRECTOR TO SERVE ON THE BOARD OF DIRECTORS OF FLORIDA GAS UTILITY; AND MAKING CERTAIN COVENANTS IN CONJUNCTION THEREWITH; PROVIDING CERTAIN AUTHORIZATIONS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING CERTAIN OTHER DETAILS WITH RESPECT THERETO.”**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Resolution No. 2039-2019 authorizing the Mayor to execute the Interlocal Agreement between the City of Jacksonville Beach and Florida Gas Utility (FGU).

Beaches Energy Services Director Allen Putnam explained the Agreement allows FGU to provide a gas supply in the event the City does not have a successful negotiation with TECO Peoples Gas. The Agreement would also help if the City decides to become its own gas utility. Moving the gas service could save \$300,000 per year. Mr. Putnam briefly went over Beaches Energy Services' strategic planning for the future.

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

**Item #19-176 – RESOLUTION NO. 2040-2019**

Mayor Latham requested the City Clerk read Resolution No. 2040-2019 by title only, whereupon Ms. Scott read the following:

**“A RESOLUTION REVISING ELECTRIC RATES FOR BEACHES ENERGY SERVICES.”**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Resolution No. 2040-2019 revising the electric rates for Beaches Energy Services.

Mr. Staffopoulos explained the resolution increases the base charge by \$2.00 per kilowatt hour, but also reduces the bulk power cost adjustment by \$3.00; a net \$1.00 reduction in every customer's bill. Chief Financial Officer Ashlie Gossett added there has been a reduction of \$28.00 since March 2010.

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

**ORDINANCES:**

**Item #19-177 – ORDINANCE NO. 2019-8124 (Second Reading)**

Mayor Latham requested the City Clerk read Ordinance No. 2019-8124 by title only, whereupon Ms. Scott read the following:

**“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING EMPLOYEE BENEFITS AND LEAVE POLICY PROVIDING FOR ADDITIONAL PAID HOLIDAY; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND PROVIDING FOR AN EFFECTIVE DATE.”**

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Ordinance Number 2019-8124, amending Employee Benefits and Leave Policy to provide for an

additional paid holiday. This would add Christmas Eve as an official paid holiday observed by the City.

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

**Item #19-178 – ORDINANCE NO. 2019-8116 (First Reading) (Public Hearing)**

Mayor Latham requested the City Clerk read Ordinance No. 2019-8116 by title only, whereupon Ms. Scott read the following:

**“AN ORDINANCE AMENDING CHAPTER 4, “ALCOHOLIC BEVERAGES,” OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, BY AMENDING SECTION 4-2, “PROHIBITED HOURS OF SALE, CONSUMPTION, AND SERVICE,” PROVIDING FOR REQUIRED SECURITY MEASURES; PROVIDING FOR ENHANCED PENALTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.”**

**Public Hearing:**

The following spoke on the agenda item:

- Jeanell Wilson, 2014 South Oceanfront, Jacksonville Beach

**Motion:** It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Ordinance 2019-8116 amending Section 4-2, “Prohibited hours of sale, consumption, and service” of Chapter 4 “Alcoholic Beverages” of the Code of Ordinances of the City of Jacksonville Beach, Florida.

**Discussion:**

Ms. Golding suggested a change on Page 8 of the Ordinance, Section 4-2(e)(2)d)3., to better clarify the violation by changing “Subsequent findings of violations...” to “Third and subsequent findings of violations...”

A brief discussion on the suggested change occurred. Mr. Doherty announced due to the nature of the ordinance, he would abstain from any vote or discussion on this item.

**Amended Motion:** It was moved by Ms. Golding and seconded by Ms. Hoffman, to amend Section 4-2(e)(2)d)3. to add “A third and any subsequent findings...”

**Roll Call Vote:** Ayes –Vogelsang, Dumont, Golding, Hoffman, Mayor Latham  
Abstain - Doherty  
The amended motion passed 5-0, with Council Member Doherty abstaining.

**Roll Call Vote:** Ayes – Dumont, Golding, Hoffman, Vogelsang, Mayor Latham  
Abstain - Doherty  
The motion passed 5-0 as amended, with Council Member Doherty abstaining.

**ADJOURNMENT:**

Prior to adjournment, Mayor Latham opened additional discussion related to public comments.

Discussion ensued regarding the Community Redevelopment Agency (CRA). Discussion items included:

- Mr. Mann clarified CRA meetings are not cancelled, rather they are held when there are agenda items, as is the case for all the other boards.
- Mr. Staffopoulos advised after the last joint City Council/CRA meeting [July 15, 2019], there was no direction from Council to have another meeting.
- Council deciding alone what to do downtown or jointly with the CRA.
- Mr. Staffopoulos stated there was a conversation about the Urban Land Institute (ULI), but there was no direction from Council to move in that direction.
- The possibility of bringing in ULI at a future Council Briefing.
- Investigate the option of the Council taking over the duties of the CRA and eliminating the need for a separate board.
- Providing the CRA Board with notice of any upcoming discussions related to the CRA by Council.
- Acting City Attorney Denise May advised there is a statutory process to follow should the Council decide to eliminate the CRA.
- Mayor Latham stated over the last five years, there had been extensive public discussion, surveys, and tours about the downtown vision.
- The status of several Dix.Hite projects.
- A focus by staff to address issues in the downtown area.
- Providing a report to Council on the status of projects.

Mr. Staffopoulos suggested three topics for possible discussion at the next Council Briefing.

1. The legislative oversight of the CRA and Council to make clear their intention on where they want to go.
2. The operation and maintenance of the downtown with regard to levels of service and cleanliness.
3. Reaffirming Council's vision of downtown. Discuss with Mr. Mann whether the right incentives are in place and if Council is ready to leverage City owned property accordingly to help fulfill the vision.

There being no further business, the meeting adjourned at 8:23 P.M.

Submitted by: Laurie Scott  
City Clerk

LS/sg

Approval:



William C. Latham, MAYOR

Date: 10/21/19