

**Minutes of Regular City Council Meeting
held Monday, November 4, 2019, at 7:00 P.M.
in the Council Chambers, 11 North 3rd 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 7:00 P.M.

ROLL CALL:

Mayor: William C. Latham

Council Members:	Keith Doherty (<i>Absent</i>)	Georgette Dumont	Sandy Golding
	Christine Hoffman	Cory Nichols	Phil Vogelsang

Also present were City Manager Mike Staffopoulos and City Attorney Chris Ambrosio.

APPROVAL OF MINUTES:

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

- Council Briefing held on October 21, 2019
- Regular Council Meeting held on October 21, 2019

ANNOUNCEMENTS:

Ms. Hoffman thanked staff for a successful 2019 Sea & Sky Air Show.

Ms. Golding attended the Trick or Treat with Jacksonville Beach First Responders at the South Beach Fire Station on October 31, 2019, and thanked everyone involved in the event.

Ms. Dumont attended the Jax Beach Dial-a-Ride event at the Jacksonville Beach Community Center for seniors on November 4, 2019.

Mr. Nichols spoke about the success of the Flounder Pounder fishing tournament benefiting the Jacksonville School of Autism.

COURTESY OF THE FLOOR TO VISITORS:

- The following spoke about keeping the gate at Lakeside Drive closed when the new Kings Road Bridge construction is completed:
 - Michelle Jackson, 2022 Lakeside Drive, Jacksonville Beach
 - William Randolph, 1835 Nightfall Drive, Neptune Beach
 - Dave Polovina, 2069 Lakeside Drive, Jacksonville Beach, provided a handout [on file]
- The following spoke about permanently opening the gate at Lakeside Drive when the new Kings Road Bridge construction is completed:
 - Travis Smith, 2009 Waterway Island Lane, Jacksonville Beach

- Morgan Siders, 2041 Waterway Island Lane, Jacksonville Beach
- Ty Gordon, 2040 Waterway Island Lane, Jacksonville Beach, provided a handout [on file]
- John Lehman, 2033 Waterway Island Lane, Jacksonville Beach
- Patti Heilmann, 1857 Kings Road, Jacksonville Beach
- Tim Kazmierczak, 2764 Lois Lane, Jacksonville Beach
- Ruth Forrest, 2729 Lois Lane, Jacksonville Beach
- Kurtis Loftus, 384 Aquatic Drive, Atlantic Beach, Executive Director of Deck the Chairs, spoke about the upcoming exhibit and events
- Ken Marsh, 2011 Gail Avenue, Jacksonville Beach, spoke about the Courtesy of the Floor process

MAYOR AND CITY COUNCIL:

CITY CLERK:

CITY MANAGER:

Item #19-190 – Authorize the Mayor and/or Councilor’s Attendance at the Institute for Elected Municipal Officials (IEMO) Training, January 10 through 12, 2020, in Jacksonville, Florida

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to authorize Ms. Golding, Ms. Dumont, and Mr. Nichols to attend the Institute for Elected Municipal Officials (IEMO) training, January 10 through 12, 2020, in Jacksonville, Florida.

Ms. Hoffman stated if there were any cancellations, she would be interested in attending.

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

Item #19-191 – Approve the Price Quote from Vanguard Electrical Contractors, Inc. for Installation of a New Electrical Service to Existing Water Production Well #23 Located at 2771 [sic] Pullian Street [sic] South of Sunshine Park and West of South Beach Parkway

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve the price quote from Vanguard Electrical Contractors, Inc. for installation of a new electrical service to Existing Water Production Well #23 as described in the memorandum from the Public Works City Engineer dated October 17, 2019.

Mr. Vogelsang noted the correct address of the site is 3177 Pullian Court.

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

Item #19-192 – Approve a Purchase Order for Matting Services to Sunbelt Rentals in the Amount of \$30,340 to Allow Crews to Access the 805 W Transmission Line to Make Repairs to Two (2) Broken Insulators

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve matting services from SunBelt Rentals to facilitate repairs to the 805 W transmission line in the amount of \$30,340.

Mr. Staffopoulos explained when the City started this project it was below the purchasing threshold of \$25,000. Once the contractor was on site, actual site conditions warranted additional materials to perform the required work, bringing the amount over the \$25,000 threshold.

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

RESOLUTIONS:

Item #19-193 – RESOLUTION NO. 2044-2019

Mayor Latham requested the City Clerk read Resolution No. 2044-2019 by title only, whereupon Ms. Scott read the following:

“A RESOLUTION BY THE CITY OF JACKSONVILLE BEACH, FLORIDA, ESTABLISHING THE CITY OF JACKSONVILLE BEACH MEMORIAL TREE AND BENCH PROGRAM; ASSIGNING THE CITY PARKS AND RECREATION DEPARTMENT WITH PROGRAM ADMINISTRATION; ESTABLISHING PROGRAM GUIDELINES, FEES AND REQUIREMENTS; SETTING A COMMENCEMENT AND IMPLEMENTATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.”

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve a Resolution establishing the City’s Memorial Tree and Bench Program for City parks, as described in the memorandum from the Director of Parks and Recreation dated October 28, 2019.

Mr. Staffopoulos stated the program is a way for residents and members in the community to recognize family members who have passed. It also established specific locations for the memorials in park-like settings.

Parks and Recreation Director Jason Phitides went over the program. Mr. Phitides stated Parks and Recreation would be responsible for maintenance and preservation of the memorial tree or bench. The City is able to piggyback onto the City of Jacksonville’s Tree Commission.

Ms. Golding asked “pets” be added to the Resolution language. Mr. Phitides responded the error had been corrected. Discussion ensued related to the option to add a center arm to the bench, the option to choose the bench color, the length of the bench, securing the plaque at the base of the tree, and standardizing the bench.

The following spoke in favor of the agenda item:

- Ken Marsh, 2011 Gail Avenue, Jacksonville Beach

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

ORDINANCES:

Item #19-194 – ORDINANCE NO. 2019-8117 (First Reading) (Public Hearing)

“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 VIII. SITE DEVELOPMENT STANDARDS DIVISION 4. SIGN STANDARDS TO PERMIT AND PROVIDE STANDARDS FOR OFF-SITE EMERGENCY WAYFINDING SIGNS FOR EMERGENCY SERVICES ONLY, FOR THE INCORPORATED AREA OF THE CITY, AND TO PROVIDE FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.”

Mr. Staffopoulos stated this item was supposed to come back before the Council. However, staff, in conjunction with Baptist Medical Center Beaches, agreed to defer this item to the February 3, 2020, City Council meeting, to continue to work on signage alternatives for the hospital.

Motion: It was moved by Mr. Vogelsang and seconded by Ms. Dumont, to table the item to the February 3, 2020, City Council meeting.

Voice Vote: Ayes – 6
Nays – 0
The motion passed unanimously.

Item #19-195 - ORDINANCE NO. 2019-8116 (Third 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.”

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Ordinance No. 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.

Mr. Staffopoulos stated this is the third reading of this ordinance. A minor change was made at the direction of Council at the last reading.

Public Hearing:

The following spoke on the agenda item:

- Manjola Rajta, 731 6th Avenue South, Jacksonville Beach

The following spoke in support of the agenda item:

- Jim Sorrell, 1410 Pinewood Road, Jacksonville Beach

Discussion:

Ms. Dumont stated, as written, violation notification doesn’t go to the property owner, it goes to the business owner.

Amended Motion: It was moved by Ms. Dumont and seconded by Ms. Golding, to include clearly that the property owner also is made aware of any violations.

Attorney Denise May, with Marks Gray, explained the ordinance references Chapter 2 of the Code of Ordinances, which references Chapter 162 in the Florida Statutes, which requires property owner notification. Ms. Dumont said she would prefer to have the added property owner language for clarity. Mayor Latham clarified the amended motion on the floor was to include the added language.

Voice Vote: Ayes – 6
Nays - 0

The amended motion passed unanimously.

Main Motion

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

Item 19-196 ORDINANCE NO. 2019-8125 (First Reading)

Mayor Latham requested the City Clerk read Ordinance No. 2019-8125 by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA AMENDING CHAPTER 32. UTILITIES, CREATING ARTICLE VII. FATS, OILS, AND GREASE (FOG) PROGRAM; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE PURPOSE AND APPLICABILITY

OF THE ORDINANCE; REQUIRING FOOD SERVICE FACILITIES TO INSTALL, OPERATE, AND MAINTAIN GRAVITY GREASE INTERCEPTORS OR HYDRO-MECHANICAL GREASE INTERCEPTORS; PROVIDING FOR SCHEDULED CLEANING OF HYDRO-MECHANICAL GREASE INTERCEPTORS AND GRAVITY GREASE INTERCEPTORS; PROVIDING FOR VARIANCE; PROVIDING FOR RECORD KEEPING; PROVIDING FOR INSPECTIONS OF GRAVITY GREASE INTERCEPTORS AND HYDRO-MECHANICAL GREASE INTERCEPTORS; PROVIDING FOR INCLUSION IN THE CODE; 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 Ms. Golding, to adopt Ordinance No. 2019-8125, providing for the purpose and applicability of the ordinance; requiring food service facilities to install, operate and maintain gravity grease interceptors or Hydro-mechanical grease interceptor. Providing for schedule cleaning, record keeping, and inspection of Hydro-mechanical grease interceptors and gravity grease interceptors.

Mr. Staffopoulos stated fats, oils and grease are considered one of the main reasons for sanitary sewer overflows in collection systems in municipalities and counties across the nation. Pollution Control Plant Supervisor Phil Brown had put together this ordinance to provide the City with the requirements and enforcement action to minimize the amount of fats, oils and grease going into the collection system and providing more reliability in the collection system at our lift stations.

Mr. Brown and FOG inspector George Brier explained the Fats, Oils and Grease Program. A video was shown to highlight the potential problems and the need for the program. There is currently only one restaurant without an interceptor, the Subway on Beach Boulevard, which is grandfathered in.

Discussion:

Mr. Brown and Mr. Brier answered questions about educating the public, the time allowed for restaurants to come into compliance, cost to install the interceptor, the number of restaurants needing to upgrade, and what the long term cost to the City would be if this program were not in place. Ms. Golding addressed language in the ordinance relating to disposal, and stated she would like the additional language provided in Section 32-183(e) *Gravity grease interceptors.*, subsection (7) *Disposal.* be included in Section 32-183(d) *Hydro-mechanical grease interceptors.*, (9) *Disposal.*, as well as correcting a few scrivener’s errors.

Mr. Brown added the City has a rebate program to help offset the cost.

Amended Motion: It was moved by Ms. Golding and seconded by Ms. Hoffman, to amend Section 32-183(d)(9) to incorporate the language, “Neither grease nor solid material removed from a Hydro-mechanical grease interceptor shall be returned to any Hydro-mechanical grease interceptor, private sewer line or to any portion of the City’s wastewater collection system or water reclamation facilities without prior written approval of the City of Jacksonville Beach Public Works Director.”

Voice Vote: Ayes – 6
Nayes - 0
The amended motion passed unanimously.

Main Motion

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

Item 19-197 ORDINANCE NO. 2019-8126 (First Reading)

Mayor Latham requested the City Clerk read Ordinance No. 2019-8126 by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING AND RESTATING IN ITS ENTIRETY CHAPTER 2, ARTICLE V, DIVISION 5, GENERAL EMPLOYEES’ RETIREMENT SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.”

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Ordinance No. 2019-8126, amending Chapter 2, Article V, Division 5 – General Employees’ Retirement System, of the City of Jacksonville Beach Code of Ordinances; Providing for Severability; Providing for the Repeal of Ordinances in Conflict Herewith; and Providing an Effective Date.

Mr. Staffopoulos stated Council was made aware of the proposed changes to the Police, Fire and General Employees’ pension plans, at a special Council Briefing held on October 28, 2019. There is no financial impact. The three ordinances are clarifying and restructuring language.

Human Resources Director Ann Meuse noted a scrivener’s error would be corrected. Ms. Meuse stated the changes resolve conflicts in language in other areas within the ordinance that have no financial impact. *In the Firefighters’ ordinance*, there are changes related to the Interlocal Agreement. The financial impact would be determined and provided to the Council prior to the second reading. Ms. Meuse introduced the City’s Pension Attorney David Robinson.

Discussion:

There was no discussion.

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

Item 19-198 ORDINANCE NO. 2019-8127 (First Reading)

Mayor Latham requested the City Clerk read Ordinance No. 2019-8127 by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING AND RESTATING IN ITS ENTIRETY CHAPTER 2, ARTICLE V, DIVISION 6, POLICE OFFICERS’ RETIREMENT

SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.”

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Ordinance No. 2019-8127, amending Chapter 2, Article V, Division 6 – Police Officers’ Retirement System, of the City of Jacksonville Beach Code of Ordinances; Providing for Severability; Providing for the Repeal of Ordinances in Conflict Herewith; and Providing an Effective Date.

See staff comments related to this item under Item 19-197.

Discussion:

There was no discussion.

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

Item 19-199 ORDINANCE NO. 2019-8128 (First Reading)

Mayor Latham requested the City Clerk read Ordinance No. 2019-8128 by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING AND RESTATING IN ITS ENTIRETY CHAPTER 2, ARTICLE V, DIVISION 7, FIREFIGHTERS’ RETIREMENT SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.”

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Ordinance No. 2019-8128, amending Chapter 2, Article V, Division 7 – Firefighters’ Retirement System, of the City of Jacksonville Beach Code of Ordinances; Providing for Severability; Providing for the Repeal of Ordinances in Conflict Herewith; and Providing an Effective Date.

See comments related to this item under Item 19-197.

Discussion:

There was no discussion.

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

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:37 P.M.

Submitted by: Laurie Scott
City Clerk

LS/sg

Approval:



William C. Latham, MAYOR

Date: 11/18/19