

**Minutes of Regular City Council Meeting  
held Monday, August 17, 2015, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida.**



**CALL TO ORDER:**

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

**OPENING CEREMONIES:**

The invocation was given by Council Member Vogelsang; followed by the Salute to the Flag.

**ROLL CALL:**

Mayor: William C. Latham

Council Members: Lee Buck                      Keith Doherty                      Christine Hoffman  
Bruce Thomason                      Phil Vogelsang                      Jeanell Wilson

Also present was City Manager George Forbes and City Clerk Laurie Scott.

**APPROVAL OF MINUTES**

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

- City Council Budget Tour held July 31, 2015
- City Council Budget Workshop held August 3, 2015
- Regular City Council Meeting held August 3, 2015
- City Council Budget Workshop held August 4, 2015

**ANNOUNCEMENTS**

Council Member Wilson

- Ms. Wilson announced the Classic Car Cruise will be held Tuesday, August 18<sup>th</sup>, 2015.

Mayor Latham

- On August 5<sup>th</sup>, 2015 he met with many travel magazine writers from all over the country to discuss Jacksonville Beach.
- On August 6<sup>th</sup>, 2015 he represented Jacksonville Beach at the 50<sup>th</sup> Anniversary of the Voter's Right Act with Jacksonville Mayor Lenny Curry. During the event, Jacksonville

Beach Council Women Margaret McQueen was recognized as the first African-American to serve on the Jacksonville Beach City Council.

- He reported he attended the Florida League of Cities and Florida League of Mayors conference held in Orlando, Florida last week.

**COURTESY OF THE FLOOR TO VISITORS:**

**Speaker(s):**

- Jamir Schryver, 525 N. 3<sup>rd</sup> Street, Jacksonville Beach.  
Ms. Schryver discussed her concerns about the vacant, unpaved lot located at 2<sup>nd</sup> Street North and 5<sup>th</sup> Avenue North.

**MAYOR AND CITY COUNCIL:**

**CITY CLERK:**

**CITY MANAGER:**

(a) **Accept the Monthly Financial Reports for the Month of July 2015**

**Motion:** It was moved by Ms. Wilson, seconded by Ms. Hoffman, to accept the Monthly Financial Reports for the Month of July 2015.

**Roll call vote:** Ayes – Buck, Doherty, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham; Motion carried unanimously.

(b) **Request by Deck the Chairs for the City to Assist in Funding a Sea Shell Slide**

**Motion:** It was moved by Ms. Wilson, seconded by Ms. Hoffman, to review the request from Deck the Chairs and to guide the City Manager regarding a course of action.

Mr. Forbes explained that Deck the Chairs has requested \$12,000 from the City to assist in funding a Sea Shell Slide for the Deck the Chairs event. Mr. Forbes introduced Kurtis Loftus, who presented a PowerPoint Presentation on his proposal for a Sea Shell Slide for the event. [Slides on file].

A discussion ensued in which the Council Members discussed the following points:

- City funding the expansion costs of the Deck the Chairs project and the recurring costs
- Storage costs and facilities for the Sea Shell Slide

- Location of Sea Shell Slide near the Boardwalk
- Charging residents a fee to use the slide when purchased with taxpayer funds
- Amount of funds the city has contributed to Deck the Chairs to date
- Buying the Sea Shell Slide versus renting an inflatable slide
- Additional liability and insurance costs if the slide is not purchased but instead renting or leasing a slide
- Capital outlay – Vendor selection and City staff involvement in the process
- Whether the timing is right for a project of this scope
- Whether the slide would draw people downtown during the daytime, as intended

Council Members did not support the City funding the Sea Shell Slide project.

Council Members each recognized Mr. Loftus for his valuable contribution and creativity to the Deck the Chair events and improving the downtown Jacksonville Beach experience.

Mayor Latham called for a roll call vote by the City Clerk.

A brief discussion ensued whether the motion was to “approve” or “review” the request for financial assistance.

Mr. Forbes stated the motion was to review the request.

**Motion:** It was moved by Council Member Doherty to approve \$12,000 to assist in funding the Sea Shell Slide for Deck the Chairs.

Motion failed due lack of a second

(c) **Approve an Amendment to the Inter-local Agreement with the City of Jacksonville for Community Development Block Grant Funds**

**Motion:** It was moved by Council Member Wilson, and seconded by Council Member Hoffman to Authorize the Mayor and City Manager to execute an amendment to the Community Development Block Grant Inter-local Agreement that we will not trade funds for unrestricted local funds, as described in the memo by the City Manager dated August 5, 2015.

Mr. Forbes explained the City receives Community Development Block Grant funds from the City of Jacksonville. The funds are used to assist with the costs associated with the police officer in the CAPE program, and tutors and children’s programs at

the Carver Center. The City of Jacksonville has received a notice from the Federal Department of Housing and Urban Development requesting our agreement be amended. They required the new agreement incorporate language specifying a unit of general local government may not sell, trade, or otherwise transfer all or any portion of block grant funds to a metropolitan city, urban county, or unit of general local government in exchange for any other funds. The City receives approximately \$150,000 of Community Block Grant funding.

Mr. Forbes reported he made technical corrections to the agreement. He stated for the record he corrected the approval year from 1998 to 1996 in the Inter-local [second] agreement we have regarding the county Community Block Grant funds.

**Roll call vote:** Ayes – Doherty, Hoffman, Thomason, Vogelsang, Wilson, Buck and Mayor Latham; Motion carried unanimously

- (d) 1) **Approve a Draw from the Law Enforcement Trust Fund for Equipment and Related Expenses for Ongoing Crime Prevention and Community Relations Programs; and Continue Funding the Part-time Police Volunteer Coordinator for the Citizen Police Academy Alumni Association and Citizens on Patrol Volunteers**

**Motion:** It was moved by Council Member Wilson, and seconded by Council Member Hoffman to approve a draw of \$34,429 from the Law Enforcement Trust Fund to be used to purchase equipment and materials for crime prevention and community relations programs scheduled for FY15-16 and to fund a part-time police volunteer coordinator.

Mr. Forbes reported these were federal and state seizure monies. We are requesting approval to use the funds to run the following crime prevention and community relations programs:

- Citizen Police Academy, Class XXXVI and XXXVII;
- Youth Police Academy, Class XVIII;
- Citizens on Patrol Certification Class;
- Citizen Police Academy Alumni Association Banquet;
- Kids Halloween Party;
- Kids Christmas Party; and
- Kids Fishing Rodeo
- Part Time Volunteer Coordinator

**Roll call vote:** Ayes – Hoffman, Thomason, Vogelsang, Wilson, Buck, Doherty and Mayor Latham; Motion carried unanimously

**2) Approve a Draw from the Federal Equitable Sharing Fund for Police Officer Overtime Expenses for Crime Prevention and Community Relations Programs**

**Motion:** It was moved by Council Member Wilson, and seconded by Council Member Hoffman to approve a draw of \$17,100 from the Federal Equitable Sharing Fund to be used to pay for police officer overtime expenses associated with crime prevention and community relations programs scheduled for FY15-16.

**Roll call vote:** Ayes – Thomason, Vogelsang, Wilson, Buck, Doherty, Hoffman and Mayor Latham; Motion carried unanimously

**(e) Approve Reconstruction of the Golf Course Green on Hole #1**

**Motion:** It was moved by Council Member Wilson, and seconded by Council Member Hoffman to approve the reconstruction of the golf course green on Hole #1 as described in the memorandum from the Director of Parks & Recreation dated August 12, 2015.

Mr. Forbes explained the City of Jacksonville Beach operates a municipal golf course located on Penman Road South. The golf course has been in operation since 1957. Prior to that time, part of the land that the golf course occupies was used as a landfill. Contact with the landfill has damaged the green on Hole #1, resulting in severely damaged grass that will not grow.

Mr. Doherty inquired if we know the location of the landfill in relationship to the golf course and going forward will there be the potential for it affecting other areas of the golf course. Mr. Forbes responded to Council Member Doherty's question by stating we do not know precisely where the landfill is located in relation to the golf course.

Mr. Forbes explained that Hole #1's damage is believed to be related to the landfill. After discussion with the agronomist consultant with the United States Golf Association Green Section, it was recommended that a liner be installed to create a barrier between the landfill. After the liner is installed, the green can be rebuilt by installing drainage pipes, gravel, a new soil mix and sod.

Mr. Vogelsang recommended that the golf course superintendent be focused more on managing the greens on the golf course than on other projects.

Ms. Wilson stated she has a hard time expending funds for the golf course, but since we own it, we must maintain it.

Mr. Buck said if we get the greens in shape, the players will come back and frequent the golf course.

Mr. Forbes recognized Mr. Meadors for his management of the golf course. He also recognized Mr. Vogelsang's point about the golf course maintenance person spending most of her time on the maintenance of the golf course and not on other projects.

**Roll call vote:** Ayes – Vogelsang, Wilson, Buck, Doherty, Hoffman, Thomason and Mayor Latham; Motion carried unanimously

**RESOLUTIONS:**

**ORDINANCES:**

**ORDINANCE NO. 2015-8063** (Second Reading)

Mayor Latham requested that the City Clerk read, ORDINANCE NO. 2015-8063, Second Reading, by title only; whereupon Ms. Scott read the following:

**AN ORDINANCE AMENDING CHAPTER 5, "ANIMALS," OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, BY CREATING ARTICLE II, DIVISION I, "COMMERCIAL ANIMAL ESTABLISHMENTS," BY CREATING SECTION 5-35, TO BE ENTITLED "REQUIREMENTS FOR SALES OF DOGS AND CATS;" PROVIDING FOR DEFINITIONS; PROVIDING FOR PERMITTED SOURCES; PROVIDING FOR CERTIFICATE OF SOURCE; AND PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING 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, seconded by Ms. Hoffman to adopt Ordinance No. 2015-8063 entitled "Requirements for the Sales of Dogs and Cats."

Mayor Latham opened the floor to Speakers.

**Speakers:**

- Michael Kassnoff, 10400 San Jose Boulevard, Jacksonville (owner of Pet World in Jacksonville) Mr. Kassnoff spoke in opposition to the Ordinance.
- Norma Badanowski, 3201 Ocean Drive South, Jacksonville Beach  
Ms. Badanowski spoke in support of the adoption to the Ordinance.
- Mark Stillman, 1928 Tanglewood Road, Jacksonville Beach  
Mr. Stillman spoke in support of the adoption of the Ordinance.

Mr. Forbes explained this ordinance (Section 5-35) regulates the retail sale of puppies and kittens in the City and requires proper documentation from retailers ensuring the origin of puppies and kittens for sale. The documentation requires that the puppies or kittens for sale be from either an animal rescue organization or a public animal shelter. He further explained the Ordinance did not prohibit Jacksonville Beach dog owners from selling their dogs [puppies] from their homes. Mr. Vogelsang's proposed amendments to the Ordinance from the August 3, 2015, City Council Meeting were included in the Ordinance.

Ms. Wilson spoke in opposition to adopting the Ordinance. She stated she agreed with the concept of protection from puppy and kitty mill operations; however she believes that the Ordinance is too restrictive on our citizens and the business owners.

Mr. Vogelsang spoke in support of the Ordinance. He recognized Mr. Kassnoff's [speaker] concerns about infringing on pet store rights but stated the Ordinance would not directly affect any of the stores in the City of Jacksonville Beach.

Ms. Hoffman spoke in support of the Ordinance. She stated if citizens are looking for the opportunity to bring an animal, of any age, into their homes, they can get them from the city's local pet stores. Moreover, they will not run the risk of those animals coming from a puppy mill.

Mr. Doherty also spoke in support of the Ordinance.

Mayor Latham spoke in support of the Ordinance. We are not doing anything from prohibiting anyone from getting a dog, and we are not preventing anyone from going to a breeder here in our city.

**Roll call vote:** Ayes – Buck, Doherty, Hoffman, Thomason, Vogelsang and Mayor Latham;  
Nays - Wilson  
Motion carried unanimously

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**ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:25 P.M.

Submitted by: Laurie Scott  
City Clerk

Approval:

//s/William C. Latham  
William C. Latham, MAYOR

September 8, 2015  
Date