

**Minutes of Special City Council Meeting  
held Thursday, January 5, 2017, at 6:00 P.M.  
In the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**CALL TO ORDER:**

Mayor Charlie Latham called the special meeting to order at 6:00 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 City Manager George Forbes, Deputy City Manager Trish Roberts, City Attorney Susan Erdelyi, Independent Counsel John F. Dickinson, and City Clerk Laurie Scott.

The purpose of the special meeting is for the City Attorney to recommend changes to the Special Events Policy and to discuss the report on special events.

**ANNOUNCEMENTS**

**COURTESY OF THE FLOOR TO VISITORS:**

**Speakers:**

- Gary Messer, 239 North 1<sup>st</sup> Street, Jacksonville Beach, stated as a business owner, he is not benefitting from the festivals as the number of vendors has increased and the area is fenced off. This prevents customers from visiting his place of business. He suggested changing some of the types of events or festivals.
- Mike Kaufman, 620 13<sup>th</sup> Avenue North, Jacksonville Beach, stated he supports the festivals.
- Mike Binder, 111 25<sup>th</sup> Avenue South, Jacksonville Beach, stated as a resident, the City should reduce the number of festivals.
- Jeff Lamparski, 1800 The Greens Way, Jacksonville Beach, commended the City on the organization of the festivals and supported their continuation.
- Ann LeFiles, 12291 Winterset Court, Jacksonville, stated her support of the festivals.
- Bryce Brown, 9618 Pritmore Road, Jacksonville, complimented the City on the way the festivals are organized and managed.
- Kelly Kinlaw, 1215 11<sup>th</sup> Street North, Jacksonville Beach, stated the charity she is involved with benefitted from one of the festivals. She added there should be more festivals in the future.
- Carrie Freeman, 9614 Rambling Oaks Trail, Yulee, stated her support of the festivals and would like for them to continue.

- Matt Killen, 31 West Adams Street, # 907, Jacksonville, stated this meeting was not about cancelling festivals but about the conflict of interest and spreading of purposeful misinformation. He requested the removal of any potential egregious conflict of interest.
- Greg Pratt, 111 Beach Boulevard, Jacksonville Beach, stated that as the owner of a business located at the center of where the festivals are held, he requested better communications to the business owners as to what is going to take place. He also suggested no more all-you-can-drink events.
- Bill Stevens, 733 2<sup>nd</sup> Avenue North, Jacksonville Beach, stated he is a business owner located in the downtown area that loses business during the events. He requested no additional festivals and also suggested no more all-you-can-drink events. Mr. Stevens submitted a petition signed by business owners. [on file]
- Mick DuRocher, 41 Millie Drive, Jacksonville Beach, spoke regarding conflicts of interests and the ethics issue in the promotion of special events. He added there should be a level playing field when putting on festivals.
- Colette Sellers, 525 3<sup>rd</sup> Street North, Jacksonville Beach, stated the City Council should decide as a whole what to do regarding the festivals. She is in support of more family-friendly activities. Ms. Sellers submitted a handout of pictures to the City Clerk. [on file]
- Carrie McClain, 415 4<sup>th</sup> Avenue North, Jacksonville Beach, stated she lives in the downtown area and attends most of the festivals. She stated crossing 3<sup>rd</sup> Avenue is difficult during the events. She stated her support of more festivals; however, she is concerned with the safety issue.
- Cory Nichols, 1107 1<sup>st</sup> Street South, Unit C, Jacksonville Beach, stated the Special Events Policy needs to be revamped. He suggested promoting events that bring more tourists to the City.

## **MAYOR AND CITY COUNCIL**

City Attorney, Susan Erdelyi, gave a PowerPoint presentation and summary of her report and recommendation regarding Council Members' involvement in special events and festivals. [on file].

Mayor Latham called for a recess at 7:16 P.M.

The meeting reconvened at 7:26 P.M.

Ms. Erdelyi continued her presentation. She concluded by saying that there is a need for clarity in the policy including the 50 percent space rule for priority/VIP seating, grandfathering, charity and nonprofit concerns, accounting, publicity, and the question of prohibiting Council Members from producing festivals.

Ms. Erdelyi offered her recommendations for assuring future compliance and avoiding problems.

Mr. Doherty suggested the review was embellished to put himself and Mr. Vogelsang in a negative light. [Mr. Doherty submitted a letter from his attorney to Ms. Erdelyi.] [on file]

Independent Counsel John F. Dickinson explained the conditions that were to be followed for Mr. Doherty to be interviewed. According to Mr. Dickinson, Mr. Doherty declined to follow those conditions.

Mayor Latham stated the intent of this meeting is to review the report of the independent counsel. He read a public statement regarding the Special Events Policy review. [on file]

Mayor Latham proposed:

- a. The new policy should require festival applications to be reviewed by staff and then forwarded to city council with their recommendation. Final approval authority should be the responsibility of the City Council.
- b. The “permits” should be replaced by “contracts,” and each applicant should sign a conflict of interest statement ensuring that no elected or appointed official (or any City staff member) will benefit personally, professionally or financially from any event. Similar requirements are currently used by the City of Jacksonville for their contracts.
- c. Liquor licenses should not be “loaned” or “rented” from a third party.
- d. “Grandfather clauses” that provide scheduling preferences for festivals should be increased from two to five years (that would eliminate any festival in which a sitting Council Member has been involved from being “grandfathered”).
- e. Since a significant amount of money is generated from festival promotions held on public property, and because many of the transactions are cash based, promoters should be required to provide the city with a full cost accounting report of each festival. Reports should include any funding provided to charities advertised for each event.
- f. The new policy should require similar contracts for “pub-crawls.” The city should ensure that the pub-crawl organizers provide adequate security, waste services and portable toilets to facilitate the increased crowds of transitioning patrons from bar to bar.

He also stated that if all Council Members are in agreement that the Special Events Policy will be re-written to specifically prohibit any conflict of interest with City officials, we should do that now, and move forward as a City. If some Council Members disagree to separate themselves completely from festivals, then we have an obligation to forward these reports to the State Ethics Commission, as they are much better prepared to handle a complete investigation of our current Council Members involvement with festivals.

Mr. Buck supported Mayor Latham’s recommendations and suggested turning it over to the Ethics Commission if an agreement cannot be reached.

Ms. Wilson stated her support of Mayor Latham’s suggestions. She added there should be better accountability for all special events and festivals.

Ms. Hoffman agreed the Special Events Policy needs updating. She suggested the Special Events Committee include citizens. She added the lack of paid admission forces promoters to rely on alcohol sales. She does not support City Council approval of festivals.

Mr. Thomason asked Ms. Ederlyi that since Mr. Vogelang's Ethics Commission report stated there were no ethical issues with his involvement in special events, would a formal request reveal something different.

Ms. Erdelyi answered that Mr. Vogelsang's Ethics Commission report is not an official opinion. It is an advisory opinion and is not binding. It is based on what Mr. Vogelsang told the Ethics Commission.

Mr. Thomason stated that he supports Mayor Latham's recommendations and wants to move forward and not have any elected officials involved in any festivals. He also added there should be no exceptions to the policy.

Mayor Latham stated that if all Council Members are willing to completely remove themselves from festivals and set a policy in place that legally enforces that, then he is ready to move forward.

Mr. Doherty commented he would rather serve the citizens of Jacksonville Beach than put on a special event.

Mayor Latham suggested a follow-up meeting in a workshop format to talk about providing guidance to City staff for a Special Events Policy.

Mr. Vogelsang stated his support of a workshop where they can remove themselves from the organizations and have the ability to have input on the policy.

### **ADJOURNMENT**

There being no further business coming before the Council, Mayor Latham adjourned the meeting at 8:26 P.M.

Submitted by: Laurie Scott  
City Clerk

Approval: \_\_\_\_\_



William C. Latham, Mayor

Date: \_\_\_\_\_

1-17-17