

**Minutes of Regular City Council Meeting
held Tuesday, January 17, 2017, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES:

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

Also present were City Manager George Forbes, City Clerk Laurie Scott, and Staff Assistant Mandy Murnane.

APPROVAL OF MINUTES

It was moved by Ms. Wilson, seconded by Ms. Hoffman, and passed unanimously, to approve the following minutes, with a modification to redact the address of a law enforcement officer:

- Regular City Council Meeting held on December 19, 2016

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

- Special City Council Meeting held on January 5, 2017

ANNOUNCEMENTS:

Mr. Vogelsang asked Mr. Forbes about the completion status of the walkovers.

Mr. Forbes informed the Council that about 20 walkovers had been repaired and the focus is currently on the walkovers from 8th Avenue North to Seagate Avenue, as this is where the new berm has been placed and needs to be protected. The next step will be to repair walkovers from Beach Boulevard to 8th Avenue North since these walkovers are some of the most heavily used.

COURTESY OF THE FLOOR TO VISITORS

No speaker cards were received by the City Clerk.

MAYOR AND CITY COUNCIL

CITY CLERK

CITY MANAGER:

- (a) **Item # 17-006, Accept the Monthly Financial Reports for the Month of December 2016**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to accept the monthly financial reports for the month of December 2016, as submitted by the Chief Financial Officer.

Roll call vote: Ayes - Buck, Doherty, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham. The motion carried unanimously.

- (b) **Item # 17-007, Approve a Draw in the Amount of \$17,245 from the Federal Equitable Sharing Fund for the Purchase of New Custom Police Badges for Sworn Officers of the Police Department**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve a draw of \$17,245 from the Federal Equitable Sharing Fund to expend as described in the January 1, 2017, Memorandum from Police Chief Dooley entitled, "Purchase of New Custom Police Badges for Sworn Officers of the Police Department."

Mr. Forbes explained the Jacksonville Beach Police Department has never had custom-made badges. The badges would have the iconic Red Cross Lifeguard Station and City logo as part of the design. The cost of the badges reflects the purchase of approximately 210 badges. Each Police Officer would be issued three (3) badges. [jacket, shirt, and wallet] The funds would be coming from seizure money, not taxpayer dollars.

Mr. Vogelsang expressed his support of the new badges, and he stated his appreciation of the Police Department.

Ms. Wilson stated she had concerns regarding the costs of the new badges and asked about the costs of the current badges.

Police Chief Pat Dooley stated the current badges are standard badges and cost about \$84 each. The new custom badges are about \$72 each.

Ms. Wilson stated she supported the purchase of the new badges and thanked the Police Department for their service.

Mr. Buck stated his support of the new badges.

Mr. Doherty expressed his support of the new badges and liked how community policing is represented on the badge.

Mr. Thomason stated that a department is not just a building, it is the people. He fully supports a unique badge for a unique Police Department.

Mayor Latham stated he supports any effort to enhance the Police Department's pride in the City.

Roll call vote: Ayes – Doherty, Hoffman, Thomason, Vogelsang, Wilson, Buck, and Mayor Latham. The motion carried unanimously.

(c) Item # 17-008, Award Bid No. 1617-04 Static Cast Concrete Poles for Beaches Energy to the Lowest Responsive, Responsible Bidder, *Gresco*.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to award Bid Number 1617-04, titled Static Cast Concrete Poles for Beaches Energy to the lowest responsive, responsible bidder Gresco, as explained in the Memorandum from the Director of Beaches Energy Services dated January 5, 2017.

Mr. Forbes expressed the importance of replacing the wooden poles with the concrete poles to be better prepared for future storms.

Ms. Wilson stated her support for replacing the wooden poles.

Roll call vote: Ayes – Hoffman, Thomason, Vogelsang, Wilson, Buck, Doherty, and Mayor Latham. The motion carried unanimously.

(d) Item # 17-009, Approve the Replacement of the 805 Transmission Static Line and Associated Hardware by *Power Secure Utility Services* in the Amount of \$843,211.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the replacement of the 805 transmission static line and associated hardware by Power Secure Utility Services as described in the Memorandum from the Director of Beaches Energy Services dated December 30, 2016.

Mr. Forbes explained the static line is the highest point and protects against lightning strikes.

Mr. Forbes addressed Ms. Wilson's inquiry as to how the work would be conducted by stating the work would be completed by helicopter.

Roll call vote: Ayes – Thomason, Vogelsang, Wilson, Buck, Doherty, Hoffman, and Mayor Latham. The motion carried unanimously.

(e) Item # 17-010, Award Bid No. 1617-06 Circuit Switchers for Beaches Energy to the Lowest Qualified Bidder, *Whitehead & Associates, Inc.*

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to award Bid No. 1617-06 Circuit Switchers for Beaches Energy to the lowest qualified bidder, Whitehead & Associates, Inc., in the amount of \$516,642 as explained in the Memorandum from the Director of Beaches Energy Services dated December 31, 2016.

Mr. Forbes addressed the three substations where the circuit switchers are to be updated are located at Butler, Jacksonville Beach, and Fort Diego. The new switches would allow all switches to operate in the same way and the life expectancy for these motorized circuit switches is about 25 years.

Roll call vote: Ayes – Vogelsang, Wilson, Buck, Doherty, Hoffman, Thomason, and Mayor Latham. The motion carried unanimously.

- (f) **Item # 17-011 Approve the Installation of 4" Natural Gas Mains Between**
- **621 Ponte Vedra Boulevard to Sawgrass Country Club**
 - **Between 45 PGA Tour Boulevard to TPC Sawgrass**
 - **Between the Sawgrass Country Club and the intersection of A1A and Palm Valley Road**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the installation of additional 4" natural gas main by TECO People's Gas in the amount of \$757,317 as described in the Memorandum from the Director of Beaches Energy Services dated December 29, 2016.

Mr. Forbes explained the alternative benefit of natural gas for the customers. The approval of this item is contingent upon receiving the signed contracts from Sawgrass Country Club and TPC Sawgrass. The funds would come from the Natural Gas Division of Beaches Energy.

James Farris, a representative of TECO People's Gas, was present at the meeting to address any concerns.

Mr. Farris explained their contractors perform the work on about 25 to 26 miles of natural gas main already in the ground and this would be an additional 21,000 feet installed.

Ms. Wilson asked if residential properties can connect to this natural gas line.

Mr. Forbes responded by stating the lines are primarily for commercial properties, but if a residential customer along the route wanted to pay for the connection, that would be available.

Mr. Vogelsang questioned if the customers use Beaches Energy Services as there is currently no natural gas available in that area.

Mr. Forbes stated many of these customers use propane and the City anticipates acquiring those customers as natural gas is cheaper, a better product, and it becomes unnecessary to keep refilling a propane tank.

Roll call vote: Ayes –Wilson, Buck, Doherty, Hoffman, Thomason, Vogelsang, and Mayor Latham. The motion carried unanimously.

(g) Item # 17-012, Approve the Dedication to the City and Acceptance for Maintenance of the Public Infrastructure Improvements (8-Inch Potable Water Main) Constructed by the Developer (*Equity One, Inc.*)

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman to approve the dedication to the City and acceptance for maintenance of the public infrastructure improvements (8-inch potable water main) at Pablo Plaza as described in the Memorandum from the Public Works Director dated December 29, 2016.

Mr. Forbes stated there are many improvements being done at Pablo Plaza. The developer installed a new 8-inch water main to support the renovations at Pablo Plaza. The property owner has provided the potable water main utility easement to the City.

Roll call vote: Ayes - Buck, Doherty, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham. The motion carried unanimously.

RESOLUTIONS:

ORDINANCES:

Item # 17-013, ORDINANCE NO. 2017-8086 (First Reading) (Public Hearing)

Mayor Latham requested that the City Clerk read Ordinance No. 2017-8086 (First Reading), by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE TO AMEND PLANNED UNIT DEVELOPMENT ORDINANCE NUMBER 2011-8001, SUPPLEMENTING THE COMPREHENSIVE ZONING REGULATIONS AND ZONING ATLAS FOR THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY. (This Ordinance amends the Preliminary Development Plan for the Baptist Medical Center Beaches to include the expansion of the South Pavilion of the main hospital building, including relocation of an internal roadway, and the relocation of the existing helipad.)”

Mayor Latham read the following:

“This ordinance to amend the PUD zoning regulations of a property is before this Council for a public hearing and consideration on its first reading. Under the laws of the State of Florida, an application to amend the zoning regulations governing a property is handled as a ‘quasi-judicial’ proceeding. A quasi-judicial proceeding means that a governing body is now functioning in a manner similar to a court with the Mayor and Council sitting as impartial decision makers hearing testimony and questioning presenters, who are to provide substantial and competent evidence to support their side of the issue. It is the duty of the Council to arrive at sound decisions regarding the use of property within the City. This includes receiving citizen input regarding the proposed use on the neighborhood, especially where the input is fact-based and not a simple expression of opinion.

It is the applicant’s burden to demonstrate that their application is consistent with the Land Development Code and the Comprehensive Plan. If the applicant is successful in showing consistency, then it is up to the local government to produce competent, substantial evidence of record that the application should be denied. The Council’s decision on a zoning amendment application is based on the criteria set forth in Section 34-211 of the Land Development Code. Each member of the Council has been provided a copy of the criteria.

In addition, the Council has received a copy of the application, and the staff and Planning Commission reports on this PUD zoning amendment request.”

Public Hearing

Mayor Latham opened the public hearing on Ordinance No. 2017-8086 and asked for the spokesperson of Beaches Baptist Hospital to address the City Council.

Speakers:

Paul Hardin, 501 Riverside Avenue, representing Baptist Medical Center Beaches, gave a brief overview of the three proposed changes, which include the expansion of the South Pavilion of the main hospital building, including the relocation of an internal roadway, and the relocation of the existing helipad.

Mayor Latham closed the Public Hearing.

Ex-Parte Communications

Mayor Latham read the following statement for the record:

“Before requesting a motion on this ordinance, beginning with myself, each of the members is requested to indicate for the record *both the names of persons and the substance of any ex parte* communications regarding this application. An ex parte communication refers to any meeting or discussion with a person or citizen who may have an interest in this decision, which occurred outside of the public hearing process.”

Mr. Vogelsang had a meeting with an individual from Mr. Hardin's agency where they reviewed the plan only.

There were no other ex-parte communications from the City Council.

Discussion:

Mayor Latham read the following statement for the record:

“Before opening the floor for discussion or questions by the Council, please be reminded that our decision will be based on the criteria set forth in the Land Development Code, and the Council is required to approve a clear statement of specific findings of fact stating the basis upon which such facts were determined and the decision was made.”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Ordinance No. 2017-8086, amending Ordinance No. 2011-8001 governing the Baptist Medical Center Beaches, revising the approved Preliminary Development Plan to reflect the final plans for the South Pavilion expansion of the main hospital building, including relocation of an internal roadway, and the relocation of the existing helipad.

Mr. Forbes pointed out that the future five-story parking garage and four-story building are possible as there was an existing PUD grandfathered in at the time of the Charter Amendment of 2004 enacting the 35-foot height restriction.

Mr. Doherty expressed his concern over the pharmacy closing at the hospital.

Joseph Mitrick, President of Baptist Medical Center Beaches, responded by stating they have outsourced their outpatient pharmacy services to Walgreens as the pharmacy was not their main focus of their business.

Roll call vote: Ayes - Doherty, Hoffman, Thomason, Vogelsang, Wilson, Buck, and Mayor Latham. The motion carried unanimously.

NOTICES:

The City Council meeting on February 6, 2017, would include the second reading of Ordinance No. 2017-8086.

A City Council Workshop is scheduled for 5:15 P.M. on Wednesday, February 8, 2017, to review the Special Events Policy.

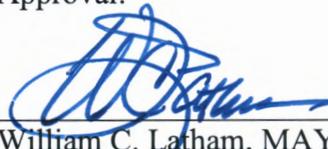
A Council Briefing is scheduled for 5:15 P.M. on Monday, February 6, 2017, which would include a discussion of the Board of Adjustment variance policy and the expansion of the South Beach Park splash pad.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:50 P.M.

Submitted by: Laurie Scott
City Clerk

Approval:



William C. Latham, MAYOR

Date: 2/6/17