

**Minutes of Regular City Council Meeting
held Monday, August 21, 2017, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES:

Council Member Jeanell Wilson 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 (*absent*) Jeanell Wilson

Also present were City Manager George Forbes, Deputy City Manager Trish Roberts, Chief Financial Officer Karen Nelson, City Clerk Laurie Scott, Director of Public Works Ty Edwards, Planning and Development Director Bill Mann, Police Chief Dooley, 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:

- City Council Budget Tour Held August 4, 2017
- City Council Budget Workshop Held August 7, 2017
- Regular City Council Meeting Held August 7, 2017
- City Council Budget Workshop Held August 8, 2017

ANNOUNCEMENTS

Mr. Thomason commented about the current civil unrest that has been happening around the country. He expressed that he hopes and prays that the nation would find a way to come together. He addressed the difficulty of law enforcement's job and requested that if anyone has an opportunity to come in to contact with a law enforcement officer, to express their appreciation for his or her sacrifice.

Mayor Latham thanked the City Manager, department heads, and City staff for all the hard work that went into preparing the budget.

COURTESY OF THE FLOOR TO VISITORS

Speakers:

- Eileen Erikson, 14558 Lagoon Drive, Jacksonville Beach, expressed her concerns regarding her treatment by the Jacksonville Beach Fall Arts Market organization.
- Marie Bingham, 38 Coral Way, Jacksonville Beach, stated why she agreed with the proposal of adjusting the millage rate to fund an increase in public safety salaries.
- Sonja Fitch, 1425 9th Street South, Jacksonville Beach, spoke about her experiences regarding her 3D political art posted on the fence around her property.
- Julie Malmstrom, 2042 2nd Street South, Jacksonville Beach, suggested installing a *Reduce Speed* sign on 2nd Avenue and 19th Street for safety reasons.

MAYOR AND CITY COUNCIL

CITY CLERK

CITY MANAGER

(a) Item # 17-141, Accept the Monthly Financial Reports for the Month of July 2017

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to accept the Monthly Financial Report for the Month of July 2017 submitted by the Chief Financial Officer.

Mayor Latham stated that the Financial Reports shows the City is on track to be debt free in 2020.

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

(b) Item # 17-142, Authorize the Mayor and City Manager to Execute with JTA the Agreement Establishing the Provisions for JTA to Quit Claim to the City Two (2) Excess JTA Properties on the Southern Boundary of the Avalon Subdivision

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to authorize the Mayor and City Manager to execute an agreement with the Jacksonville Transportation Authority to quit claim to the City two (2) properties that are adjacent to the Southern Boundary of the Avalon Subdivision.

Mr. Forbes stated that the proposed parcels would give driveway access to the property owner, therefore avoiding exiting on to A1A.

Ms. Wilson asked what the plan was for the additional property - other than an easement. Mr. Edwards responded by stating that the City's storm drainage pipes run from JTA Parcel 1 through State Road A1A. He felt it would be to the City's advantage to retain the property since the City's storm pipes run through the properties. He also stated that the rest of the property would be under City ownership.

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

(c) Item # 17-143, Authorize the Mayor and City Manager to Execute the Florida Electric Utilities' Statewide Mutual Aid Assistance Compact

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the execution of the Florida Electric Utilities' Statewide Mutual Aid Assistance Compact by the Mayor and the City Manager.

Mr. Forbes explained in the event a major hurricane or storm, with the Mutual Aid Assistance Compact, the City would have the ability to individually access mutual aid assistance from any State IOU (Investor Owned Utilities). This plan would not replace any existing mutual aid agreements that are in place. He further discussed that the City would not only be responsible for the labor costs but would be responsible for any worker compensation claims.

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

(d) Item # 17-144, Approve the Purchase of Four (4) Replacement and Four (4) New 138kV/145kV High Voltage Circuit Breakers for a Total of Eight (8) According to Pricing Under Coletric Partners Master Purchasing Agreement for High Voltage Circuit Breakers Agreement #MPA 0107B.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman to purchase eight (8) Breakers from HBV Inc. (Hitachi) as explained in the memorandum from Director of Beaches Energy Services dated August 11, 2017.

Mr. Forbes explained this purchase was to replace four high voltage circuit breakers that were possibly damaged during on-site testing. The circuit breakers were returned to the manufacturer for quality assurance testing. However, they were subsequently damaged during transport. Delays caused by ongoing litigation [due to the transport accident] would soon be affecting the time line of larger Beaches Energy projects primarily, the New Guana substation upgrade.

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

RESOLUTIONS:

(a) Item # 17-145, RESOLUTION NO. 1987-2017

Mayor Latham requested that the City Clerk read Resolution No. 1987-2017, by title only, whereupon Ms. Scott read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, ESTABLISHING CHARGES, MONTHS, DAYS AND HOURS OF OPERATION FOR MUNICIPAL PARKING LOTS; AUTHORIZING THE CITY MANAGER TO ADJUST HOURS AND DAYS OF OPERATION AND PROVIDING AN EFFECTIVE DATE.”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution No. 1987-2017, establishing charges, months, days and hours of operation for municipal parking lots.

Mr. Forbes explained since 2010, during warm weather months, the City of Jacksonville Beach has charged \$5 for parking on the weekends in its three largest downtown parking lots: the Pier, the Ritz and Latham Plaza. He stated we would add the new parking lot on 2nd Street and 3rd Avenue North to the program. In the future, he might also add the Oceanfront Park lot to the program. Jacksonville Beach residents may park at no charge when they provide proof of residency by showing their Florida Driver License to the parking lot attendant. The following changes were recommended:

- The parking rate will be unchanged at \$5 per vehicle, except:
 - On days when festivals are held, the charge will be \$10 per vehicle
 - On holidays and on holiday weekends (when the holiday falls on a Friday, Saturday, Sunday or Monday) the charge will be \$10 per vehicle, for the entire weekend
- Change the months that the parking program operates to the months of March through October (instead of March through September)
- Give the City Manager the authority to adjust the hours of operation for paid parking

Speakers:

- Mick DuRocher, 41 Millie Drive, Jacksonville Beach, spoke on nuisance crime statistics and recommended that the parking fees should cover law enforcement costs for providing security at the parking lots.

Ms. Wilson clarified the verbiage in Section 1 of the Resolution, stating it should read \$10.00... *“per vehicle per day for the entire weekend.”* Mr. Forbes agreed and stated the edits would be made.

Mr. Buck confirmed that residents of Jacksonville Beach would continue not to be charged for parking upon proof of residency. He believes this Resolution would assist with the City's expenses in managing the lots.

Mr. Doherty explained he does not support the Resolution in its entirety. He further explained that he is in favor of secure lots, metered lots, keeping the funds versus splitting with the vendors, and creating jobs for the City's residents. However, he believes the fee increase and extending the season to October would have consequences such as people migrating to park in residential areas, lack of business support, and a drop in visitors. He reiterated that the City is overdue for a parking garage.

Ms. Hoffman asked to clarify what the holiday weekend definition is in accordance with the Resolution. Mr. Forbes responded that if the holiday falls on a Wednesday, the parking fee would only be charged for that day but if the holiday is a Friday or a Monday, the parking fee would be charged on Fri-Sun or Sat-Mon. She stated that by comparing parking fees to other special events in other cities, the parking fee seems fair; because of this, she supports the Resolution.

Mr. Thomason asked what is the estimated annual revenue or net the City receives from the current parking fee. Chief Dooley reported that the fees go to provide twelve Community Service Officer IIs, overtime for the Police Officer who roves between the parking lots and one full-time Parking Coordinator. Mr. Forbes responded by stating that the funds are allocated to the general fund. However, they are accounted for separately.

Roll call vote: Ayes –Wilson, Buck, Hoffman, Thomason, and Mayor Latham.
Nays – Doherty.
The motion passed 5-1

(b) Item # 17-146, RESOLUTION NO. 1990-2017

Mayor Latham requested that the City Clerk read Resolution No. 1990-2017, by title only, whereupon Ms. Scott read the following:

**“A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY.
(This authorizes the sale of used banners that used to hang on A1A)”**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution Number 1990-2017, approving the sale to the public by the Planning and Development Department of 32 used CRA Street Pole Banners.

Mr. Forbes explained that there are 32 Street Pole Banners that were removed from various street poles along 3rd Street. The Banners are worn but in good shape. The public has shown an interest in purchasing them. The Planning and Development Department will be selling these banners until inventory is depleted.

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

(c) **Item # 17-147, RESOLUTION NO. 1991-2017**

Mayor Latham requested that the City Clerk read Resolution No. 1991-2017, by title only, whereupon Ms. Scott read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, ESTABLISHING RATES, CHARGES, AND FEES FOR THE MUNICIPAL BALL FIELDS AND SPORTS FIELDS.”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution Number 1991-2017, establishing rates, charges and fees for the municipal ball fields and sports fields, and to correct the scrivener error in Section 4 of “entirely” to “entirety.”

Mr. Forbes reported the Resolution was to correct fee amounts on the schedule as reported by Council Member Vogelsang. Mr. Thomason asked if the scrivener error on Section 4 of the Resolution was corrected. Mr. Forbes stated the word “entirely” has been changed to “entirety.”

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

ORDINANCES:

(a) **Item # 17-148, ORDINANCE NO. 2017-8095 (First Reading) (Public Hearing)**

Mayor Latham requested that the City Clerk read Ordinance No. 2017-8095, by title only, whereupon Ms. Scott read the following:

“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 DIVISION 2. SUPPLEMENTAL STANDARDS, SECTION 34-407 OUTDOOR RESTAURANTS, AND BARS OF ARTICLE VIII. SITE DEVELOPMENT STANDARDS TO MODIFY THE LIMITATIONS AND CONDITIONS FOR OUTDOOR RESTAURANTS AND BARS; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Ordinance Number 2017-8095, to amend Land Development Code Section 34-407, to revise the regulations for outdoor restaurants and bars.

Mr. Forbes addressed the changes the ordinance would implement:

- Allow for the maximum area of outdoor customer service areas of restaurants or bars to not exceed 25% of the total enclosed area of the related restaurant or bar.
- Acknowledges the “Dog in Outdoor Dining Area” permit process, administered by the City Clerk’s office.
- Eliminated the prohibition of the outdoor amplified sound and music in light of the City Council’s recent approval of a “Low Volume Outdoor Sound and Acoustic Sound” program for restaurants and bars with outdoor areas.

Mayor Latham opened the public hearing at 7:53 P.M., and closed the public hearing at 7:54 P.M. No speakers came forward.

Discussion:

Ms. Wilson expressed her concerns regarding enforcement and monitoring plan for the outdoor sound, as well how it would affect the neighbors in residential areas near these facilities.

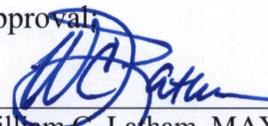
Roll call vote: Ayes – Hoffman, Thomason, Buck, Doherty, and Mayor Latham.
Nays – Wilson
The motion passed 5-1.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:55 P.M.

Submitted by: Laurie Scott
City Clerk

Approval



William C. Latham, MAYOR

September 5th, 2017
Date