

**Minutes of Regular City Council Meeting
held Monday, September 18, 2017, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES

Council Member Vogelsang 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 (*absent*) Keith Doherty Christine Hoffman
Bruce Thomason Phil Vogelsang Jeanell Wilson

Also present were City Manager George Forbes, Deputy City Manager Trish Roberts, Director of Public Works Ty Edwards, Chief of Police Patrick Dooley, Fire Chief David Whitmill, Chief Financial Officer Karen Nelson, Human Resources Director Ann Meuse, Beaches Energy Director Allen Putnam, Parks and Recreation Director Jason Phitides, City Clerk Laurie Scott, and Assistant City Clerk Genelee McLawhorn.

APPROVAL OF MINUTES

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

- Special City Council Meeting held September 5, 2017
- Regular City Council Meeting held on September 5, 2017

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

- Sonja Fitch, 1425 9th Street South, Jacksonville Beach, spoke about her views on community relations and the 3D political art posted on the fence around her property.
- Chuck McCue, 1908 3rd Street, Neptune Beach, thanked Beaches Energy for their efforts in restoring power to the beaches community and discussed a local charity event raising donations for those in need after the hurricane.
- Judy Malmstrom, 2042 South 2nd Street, Jacksonville Beach, expressed her gratitude to the community for coming together to help her during Hurricane Irma.

MAYOR AND CITY COUNCIL

Item #17-164, Update on Hurricane Irma

Mr. Forbes invited the City Department Heads to provide updates regarding the storm. Staff addressed each of their Department's actions before, during, and after Hurricane Irma.

Mayor Latham and Council Members thanked all City employees for their efforts as well as their families for their sacrifice during Hurricane Irma.

Mr. Vogelsang asked Mr. Edwards about the debris contractor's plans regarding picking up leaves. Mr. Edwards responded by asking that the community not bag their leaves, but if they had, Advanced Disposal would pick up the bagged leaves on a limited basis. Mr. Edwards further explained that according to FEMA regulations, vegetative debris and construction debris could not be mixed and is required to be separated.

Mr. Doherty asked Police Chief Dooley if the 10 P.M. - 6 A.M. curfew that was mandated, was effective. Chief Dooley stated it was an effective tool to help get people off the streets as well as to be able to approach those who should not be on the streets during the Hurricane.

Mr. Doherty stated he was asked by community members why there was such short notice on reporting shelter locations to the public. The Mayor responded by stating the shelters were in Jacksonville, and the Emergency Operations Center [EOC] of Jacksonville was in control of releasing the information to the public.

Mayor Latham recognized Phillip Powell, a Boy Scout, and student from Episcopal who was attending the City Council Meeting to obtain his Community Service badge.

The City Manager corrected a mistake in his Monday, September 11, 2017, Hurricane Irma Situation Report. He reported it had rained 27 inches in the last 24 hours. 27 inches is what our gauge read but Ty Edwards checked and the gauge was incorrect. It rained almost 10 inches in a 24-hour period, not 27 inches.

CITY CLERK

CITY MANAGER

- (a) **Item #17-165, Accept the Monthly Financial Reports for the Month of August 2017.**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to accept the financial reports for the month of August 2017, as submitted by the Chief Financial Officer.

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

**(b) Item #17-166, Approve a Draw from the Law Enforcement Trust Fund
For the following:**

- 1. Equipment and Related Expenses for Ongoing Crime Prevention and Community Relations Programs; and**
- 2. 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 Ms. Wilson and seconded by Ms. Hoffman, to approve a draw of \$36,750 from the Law Enforcement Trust Fund to expend as described in a September 8, 2017, memorandum from the Police Chief entitled, "Draw from Law Enforcement Trust Fund for Crime Prevention Programs and Continued Funding for Part-time Police Volunteer Coordinator."

Discussion: Mr. Forbes explained the money to fund the programs, and the Part-time position would come from money seized during arrests.

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

(c) Item #17-167, 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 Ms. Wilson and seconded by Ms. Hoffman, to approve a draw of \$18,350 from the Federal Equitable Sharing Fund to expend as described in a memorandum from Police Chief Patrick K. Dooley entitled, "Draw from Federal Equitable Sharing Fund for Police Officer Overtime for Crime Prevention and Community Relation Programs," dated September 8, 2017.

Discussion: Mr. Forbes explained that this is for the same programs previously mentioned. However, this fund would be used to pay overtime to those officers who work these events.

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

(d) Item #17-168, Award Bid No. 1617-13 Unleaded Gasoline & Diesel Fuel to the Lowest Qualified Bidder, James River Solutions

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to award bid number 1617-13 for the supply of Unleaded Gasoline and Diesel fuel to James River Solutions as described in the memorandum from the Property and Procurement Officer dated Septemeber 6, 2017.

Discussion: Mr. Forbes reported that this is for Unleaded Gas and Diesel used by the city.

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

RESOLUTIONS:

Item #17-169, RESOLUTION NO. 1994-2017

Mayor Latham requested that the City Clerk read Resolution No. 1994-2017, by title only, whereupon Ms. Scott read the following:

“A RESOLUTION AMENDING THE CITY OF JACKSONVILLE BEACH POSITION CLASSIFICATION AND PAY FOR MANAGERIAL, PROFESSIONAL, ADMINISTRATIVE AND UNCLASSIFIED (NON-UNION) POSITIONS, EFFECTIVE SEPTEMBER 18, 2017. (This eliminates the Property Management Superintendent position and changes the pay grade for the Property and Procurement Officer).”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution 1994-2017, amending the Classification and Pay Plan for Managerial, Professional, Administrative, and Unclassified (Non-Union) positions, effective September 18, 2017. This would change the job title of the Purchasing Administrator, eliminate the Property Management Superintendent position, and change the pay grade of the Property and Procurement Officer.

Discussion: No discussion by the Council, Mayor Latham called for a roll call vote.

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

ORDINANCES:

Item #17-170, ORDINANCE NO. 2017-8094 (Second Reading)

Mayor Latham requested that the City Clerk read Ordinance No. 2017-8094, by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE PROVIDING FOR THE CONSTRUCTION OF PUBLIC INFRASTRUCTURE IMPROVEMENTS TO INCLUDE, BUT NOT LIMITED TO, DRINKING WATER DISTRIBUTION LINES, SANITARY SEWER COLLECTION LINES, PROPERTY CONNECTIONS TO SAID LINES, ABANDONMENT OF PROPERTY SEPTIC TANKS, AND RELATED AND ASSOCIATED WORK ALONG THE PRIVATE ACCESS EXTENSION OF HOPSON ROAD IN THE CITY OF JACKSONVILLE BEACH, FLORIDA; PROVIDING FOR THE PAYMENT OF THE COST THEREOF BY THE IMPOSITION OF SPECIAL ASSESSMENTS TO BE LEVIED AND ASSESSED AGAINST THE PROPERTIES ABUTTING OR FRONTING UPON SUCH IMPROVEMENTS, IN PROPORTION TO THE BENEFITS BESTOWED UPON EACH PROPERTY ASSESSED; AND DESIGNATING A TIME FOR HEARING OBJECTIONS TO THE ENFORCEMENT THEREOF AND PROVIDING FOR OTHER MATTERS RELATING THERETO. (These are improvements along Hopson Road)”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to

1. Amend Ordinance Number 2017-8094 implementing the assessment cost reductions so that the equal distributed Maximum Assessment Cost for each lot shall be \$22,200.43, and;
2. Adopt on its second and final reading, Amended Ordinance No. 2017-8094, for the special assessment of properties benefiting from the City-financed water and sewer infrastructure improvements to be constructed along the private access extension of Hopson Road.

Mr. Forbes explained that staff took the advice from the City Council from the last meeting to reduce the cost of the Public Water-Sewer Services and Related Work for eight properties on Hopson Road. The City was able to subtract the following costs:

- Grant reimbursement [\$10,000 less assessment fee per property],
- 15% contingency fee, and
- Cost of the engineering work for the assessments.

By absorbing these costs, this would now reduce the individual assessment fees from \$41,207.09 to \$22,200.43 for those eight properties on Hopson Road.

Also, at the suggestion of Mr. Vogelsang, the costs for Property Water-Sewer Connects, Abandon Septic Tanks and Related Work to four additional properties on Hopson Road, would now be absorbed by the City in the amount of \$7,564.79 for each property.

These were significant reductions according to Mr. Forbes. He stated the City foresees more development in the area, which would make it imperative that they are provided these City services.

Mayor Latham opened the public hearing.

Speakers:

- Lynn Hileman, 22 Hopson Road, Jacksonville Beach, stated that he redesigned his house to conform to this plan; however, he did not like the fact that the rest of his neighbors are forced to conform. He raised questions about the Avalon community and wondered what they paid for their infrastructure to hook up to the City utilities.
- Spike Cissel, 17 Hopson Road, Jacksonville Beach, asked about correspondence that his son sent to the Council and requested it to be put in the record. [attached] He noted he was happy to pay for the project because it would bring value to his property, however, was concerned that the process was rushed. He believes that there should have been an opportunity to come together and share ideas.
- Ronda Lewis, 13325 Singleton Street, Jacksonville, explained that she was there on behalf of her parents, Robert and Jaqueline Poland, 24 Hudson Road, Jacksonville Beach. She asked why the developer who filled the marsh or the City was not responsible for the cost of the infrastructure.
- B. Duke Lewis, 13325 Singleton Street, Jacksonville, stated he was also there to represent Robert and Jaqueline Poland, 24 Hudson Road, Jacksonville Beach, He stated he believed that putting the burden of paying an unexpected \$22,000 bill for a couple with a fixed income, is unfair. He also expressed concern if the ladder fire truck could travel on Hopson Road.
- John Horton, 28 Hopson Road, Jacksonville Beach, supported this plan because he believes this would bring value to the neighborhood.
- Kathy Cole, 30 Hopson Road, Jacksonville Beach, expressed her concerns about the construction of the water and sewer lines without damage to her property. She requested that she and those who wish not to hook up to City services be exempt from this project.

Communications:

1. Email communication dated September 6, 2017, from Jimmy Cissel, 26 Hopson Road, Jacksonville Beach to Mr. Thomason.
2. Contact form via City website addressed to Mayor, City Council, and City Manager's office from Jimmy Cissel, 26 Hopson Road, Jacksonville Beach.
3. Contact form via City website addressed to the Mayor, City Council, and City Manager's office from Nikki Lewis, 13225 Singleton Street, Jacksonville.

Mayor Latham closed the Public Hearing.

Discussion: Mr. Vogelsang questioned how much the community of Avalon paid to hook up to City services. Mr. Forbes responded that they paid 100% of water, sewer and engineering costs. Mr. Vogelsang clarified that by City Charter, all properties must pay an equal amount. He supports the project but welcomes any other suggestions.

Mr. Thomason asked if it was possible to install water and sewer lines up to the property lines to only the people who want them. Mr. Forbes stated according to City Charter, under a special assessment, this is not permitted.

Mr. Forbes addressed the question why the project was being rushed. He explained the Public Works Director was able to submit an \$80,000 grant application. This would be \$10,000 per property reduction in assessment fees. Secondly, the easements we have for the private road also expire if we don't complete the construction by the end of March.

Mr. Doherty expressed that the City should proceed with the project. His main concern is about fire safety. The project would bring two fire hydrants to Hopson Road.

Mr. Vogelsang clarified that if the easement is permitted, then the property owners would be able to connect to City services for free. If opting out of the project then they would lose out on \$8,000 that the City was willing to absorb.

Ms. Wilson thanked Mr. Edwards and Robin Smith for their hard work towards reducing the costs of the assessments. She asked if the twelve month grace period could be extended. Mr. Edward stated that according to the City Ordinance, they would inform the residents that the services are available and then start charging for water and sewer services. He further explained if a property owner does not give a temporary construction easement, this would pose a risk of the grant funding being reduced and the City would be responsible for the remainder of the cost.

Ms. Wilson again clarified that according to the City Ordinance no one could opt out and extend the 12 month period to hook up to services. Mr. Forbes stated that

is correct unless the City Ordinance is changed. She stated this is a great project. However, she still has concerns forcing someone to do this.

Mr. Doherty reclarified if anyone could opt out of the project. Mr. Edwards stated no one could be allowed to opt out of the assessment by City Ordinance. They could opt out of giving a temporary construction easement. [to construct water and sewer service lines to their property]

Mayor Latham asked if Hurricane Irma flooded out Hopson Road. Fire Chief David Whitmill stated that on Tuesday afternoon, the water has gone up to the houses; however, there was less flooding from Hurricane Irma than Hurricane Matthew.

Mr. Vogelsang suggested voting yes, and continue planning the project. Ask all the property owners if they would like to connect to City services for free. If they do not, then they would waive the fees, or change the City Ordinance and they would not be charged a sewer fee but would still be responsible for the \$22,200 assessment fee.

Ms. Wilson asked if the Council changes the Ordinance then would this change it for everyone including new subdivisions. Mr. Forbes responded no because, in new subdivisions, developers pay 100% to connect to City utilities.

Roll call vote: 1. Ayes - Doherty, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham
The motion carried.

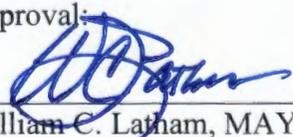
Roll call vote: 2. Ayes – Hoffman, Thomason, Vogelsang, Doherty, and Mayor Latham.
Nays – Wilson
The motion passed 5-1.

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:58 P.M.

Submitted by: Laurie Scott
City Clerk

Approval:


William C. Latham, MAYOR

Date: 10/2/2017