

**Minutes of Regular City Council Meeting
held Monday, November 6, 2017, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES

A moment of silence was held in honor of the recent tragedy in Sutherland Springs, Texas, 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, Deputy City Manager Trish Roberts, City Attorney Susan Erdelyi, Planning and Development Director Bill Mann, Chief Financial Officer Karen Nelson, City Clerk Laurie Scott, Director of Beaches Energy Allen Putnam, Director of Public Works Ty Edwards, Director of Parks and Recreation Jason Phitides, 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 Workshop Held October 12, 2017
- Regular City Council Meeting Held October 16, 2017

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

- Jamir Schryver, 525 North 3rd Street, Jacksonville Beach, addressed the conditions of the vacant lot located at 5th Avenue North and 2nd Street North and evening noise nuisance.
- Fernando Meza, 607 7th Avenue South, Jacksonville Beach, spoke in favor of increasing the pay for the Police Department.
- Lori Anderson, 800 Shetter Avenue, Jacksonville Beach, thanked the Police Department for their professionalism and rapid response during a recent shooting incident at the Mission House.

MAYOR AND CITY COUNCIL

CITY CLERK

CITY MANAGER

- (a) **Item #17-187, Approve the Implementation of the Master Plan for the Golf Course Using MacCurrach Golf Construction, Inc., to Provide Construction Services, and Applied Technology Management, Inc., for Design and Construction Oversight Services**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the implementation of the master plan for the Golf Course using MacCurrach Golf Construction, Inc., to provide construction services, and Applied Technology Management for design and construction oversight services, as described in the memorandum from the Parks and Recreation Director dated October 24, 2017.

Mr. Forbes said the overall improvement plan for the golf course encompasses reconstruction of the greens, upgrading irrigation to the greens and expansion of the driving range. The changes to the course layout improve safety and promote playability. The enhanced design creates sufficient space around the clubhouse for a putting course and a practice area for chipping and putting.

The project would start in January 2018 and take plus/minus four months for construction. Thereafter, the course would remain closed for an additional four months to allow a grass re-growth period. The projected re-opening of the golf course would be toward the end of 2018.

Speakers:

- Thomas Franklin, 1809 1st Street North, Jacksonville Beach, supports the improvements to the golf course but preferred upkeep rather than change.
- Jerry Walters, 1018 Big Pine Key, Atlantic Beach, said he would like to see the golf course layout remain as-is with improvements to the irrigation system and greens.

Discussion: Mr. Doherty said the current greens are not up to the USGA standards, and the modifications to the layout are most noticeable in the last four holes. The course will be a championship par-72 course, as well as an equitable golf system, available for any playing level.

Ms. Wilson also supports the improvements to the golf course and asked if bed tax money could be utilized towards funding the improvements.

Mr. Forbes responded the bed tax monies, along with three other funding sources, would be used to finance the project.

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

The motion passed unanimously.

(b) Item #17-188, Authorize Installation of the Redundant SCADA Control Center at Water Plant #2 with Data Flow Systems

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to authorize installation of the redundant Supervisory Control and Data Acquisition Control Center at Water Plant Number 2 with Data Flow Systems as sole source at a cost of \$72,002, plus a 10% contingency, for a total cost not to exceed \$79,202, as explained in the memorandum from the Public Works Director dated October 22, 2017.

Discussion: Mr. Forbes explained that during Hurricane Matthew and Irma, the water plant staff relocated to Water Plant #2 because it is higher in elevation than Water Plant #1.

If the SCADA control center or backup power at Water Plant #1 had been severely storm damaged, the automatic control of the water system would have been lost. As part of storm hardening, the installation of a mirrored system control center at Water Plant #2 would ensure the portable servers to be relocated in the event of a storm, as well as remote operation of the water plant during the storm.

Roll call vote: Ayes – Doherty, Hoffman, Thomason, Vogelsang, Wilson, Buck, and Mayor Latham

The motion passed unanimously.

(c) Item #17-189, Approve Purchase of Geographical Information System (GIS) Services from Power Engineers, Inc. (For a Beaches Energy Outage Management System)

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the purchase of a Geographical Information System (GIS) services from Power Engineers, Inc., for an Outage Management System as described in a memo from Allen Putnam, Director of Beaches Energy Services, dated October 21, 2017.

Discussion: Mr. Forbes stated the City as a whole would have a new main operating system within the next two to four years and reviewed the outcome of implementing an Outage Management System (OMS) for Beaches Energy as follows:

- Provide up to date outage information as customers call in or report outages via a website or mobile application.
- Provide a mobile ticket dispatching system that will greatly speed up information to and from the field.

- Improve safety for field employees by showing the location and assignments of field personnel.
- Provide real-time updates to an interactive, public-facing outage map.
- Provide the ability to send notifications to customers who opt-in to receive status updates on incident and outage tickets utilizing the customer's communication preferences (email, text, etc.)

Director of Beaches Energy, Allen Putnam, added that as information has changed over time, the current Geographical Information Services (GIS) detail is not sufficient as a foundation for the updated Outage Management System (OMS).

Matt Seely, Electrical Engineering Project Supervisor for Beaches Energy, said he is confident the system would be operational in plus/minus two-years.

As requested by Ms. Wilson, Mr. Putnam clarified the cost of \$102,084 would be a one-time fee and would cover the preparations needed in the GIS system to move forward in the OMS installation process. After installation, there would still be an additional cost for an outage maintenance system provider.

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

(d) Item #17-190, Approve the Attached Final Plat for Lots 3 and 4, Block 27, Pablo Beach North Subdivision, Supporting a Five Townhouse Residential Subdivision (614 and 624 2nd Avenue North)

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the attached Final Plat for Lots 3 and 4, Block 27, Pablo Beach North subdivision, supporting a five townhouse residential subdivision.

Discussion: Mr. Forbes briefly summarized the item as a platting of property into five townhouses that are currently sitting on the property.

Bill Mann, Director of Planning and Development, stated the property is currently two adjacent, fully developed properties that the owner is looking to sell individually rather than as a development.

Roll call vote: Ayes - Thomason, Vogelsang, Buck, Doherty, Hoffman, and Mayor Latham.
Nays – Wilson
The motion carried 6-1.

RESOLUTIONS

ORDINANCES:

(a) Item #17-191, ORDINANCE NO. 2017-8098 (First Reading) (Public Hearing)

Mayor Latham requested that the City Clerk read Ordinance No. 2017-8098, by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA AMENDING ARTICLE VIII. SUPPLEMENTAL STANDARDS, DIVISION 2, CREATING A NEW SECTION 34-408 MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES PROHIBITED FOR THE INCORPORATED AREA OF THE CITY, AS AUTHORIZED BY CHAPTER 163.3202 AND 381.986, FLORIDA STATUTES, ADDING DEFINITIONS FOR "MEDICAL MARIJUANA TREATMENT CENTER" AND "MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITY" TO ARTICLE IV, DEFINITIONS LAND DEVELOPMENT CODE OF THE CITY; AND PROVIDING FOR CODIFICATION, MORATORIUM CONTINGENCY; SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Ordinance No. 2017-8098, amending the Land Development Code by adding new definitions to Section 34-41, and adding a new Section 34-408 Prohibiting Medical Marijuana Treatment Center Dispensing Facilities from locating within the City of Jacksonville Beach.

Mr. Forbes reported while "dispensing facilities" are part of the new state regulations, the State has preempted to itself the regulation of all facilities. Mr. Forbes explained the State has only provided local jurisdictions the following two options:

1. To allow medical marijuana treatment center dispensing facilities within their jurisdictional boundaries regulated no more stringently than pharmacies, or
2. To ban medical marijuana treatment center dispensing facilities within their jurisdictional boundaries altogether.

He expressed his concerns about medical marijuana treatment center dispensing facilities opening in the City's Central Business District.

He reported that there is a high likelihood of future State legislation regarding medical marijuana and the potential for legal challenges to the current legislation as currently adopted.

Mr. Forbes stated Mr. Mann took this before the Board of Adjustment to canvass their views. Additionally, the Planning Commission met to consider the proposed amendments to the Land Development Code on October 23, 2017, and recommended prohibiting medical marijuana treatment center dispensing facilities within the City limits.

Mayor Latham opened the Public Hearing at 7:48 P.M.

Speaker:

- Carrie McClain, 415 4th Avenue North, Jacksonville Beach, spoke in opposition to the agenda item.

Mayor Latham closed the Public Hearing at 7:51 P.M.

Discussion: Mr. Doherty and Ms. Hoffman stated that because of their civic duty to support the voters, they did not support the prohibition of medical marijuana treatment center dispensing facilities.

Mayor Latham stated he supported the prohibition. He explained City of Jacksonville Beach voters approved medical marijuana. However, they did not approve medical marijuana treatment center dispensing facilities opening near the City's neighborhoods.

Roll call vote: Ayes – Wilson, Buck, Thomason, Latham
Nays – Vogelsang, Doherty, and Hoffman
The motion carried 4-3.

(b) Item #17-192, ORDINANCE NO. 2017-8097 (Second Reading) (Public Hearing)

Mayor Latham requested that the City Clerk read Ordinance No. 2017-8097, 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 ARTICLE VII. ZONING DISTRICTS, DIVISION 2, SECTION 34-345. CENTRAL BUSINESS DISTRICT: CBD, PARAGRAPH (D) CONDITIONAL USES TO ADD "SINGLE FAMILY DWELLINGS CONSTRUCTED IN ACCORDANCE WITH REQUIREMENTS SET FORTH IN SECTION 34-338, RESIDENTIAL, SINGLE FAMILY: RS 3" AS SUBPARAGRAPH (9); 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, Adopt Ordinance No. 2017-8097, amending the Land Development Code by Adding “Single-family dwellings constructed in accordance with requirements set forth in Section 34-338, Residential, single-family: RS-3” as a Conditional Use in the Central Business District: CBD zoning district.

Mr. Forbes said single-family residential dwellings are not currently listed as permitted or conditional uses in the Central Business District: CBD zoning district.

A handful of single-family homes are located in the Central Business District: CBD zoning district. Approving this text change would allow owners of existing non-conforming, single-family dwellings the opportunity to seek conditional use approval to bring their property into compliance with the current Land Development Code.

Mayor Latham opened the Public Hearing at 8:01 P.M.

No one wished to come forward and speak on the matter.

Mayor Latham closed the Public Hearing at 8:02 P.M.

Discussion: Mr. Mann, Director of Planning and Development, added any significant remodeling could not be done without the conditional use permit approval, but this ordinance would allow for the homeowners the right to apply for a conditional use to rebuild. Conditional use allows for Planning and Development to review the applications on a case by case basis and accommodates long-term area homeowners.

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

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:12 P.M.

Submitted by: Laurie Scott
City Clerk

Approval:



William C. Latham, MAYOR

Date: 11-20-17