

**Minutes of Regular City Council Meeting
held Monday, March 4, 2013, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida.**



CALL TO ORDER:

Mayor Charlie Latham called the meeting to order.

OPENING CEREMONIES:

Invocation was by Council Member Wilson, followed by the Salute to the Flag.

ROLL CALL:

Mayor: Charlie Latham

Council Members: Keith Doherty Steve Hartkemeyer Christine Hoffman
Tom Taylor Phil Vogelsang Jeanell Wilson

Also present was City Manager George Forbes, City Department Directors, and Nancy J. Pyatte, Assistant City Clerk.

APPROVAL OF MINUTES

It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, and passed, to approve the following minutes, as presented:

- Council Orientation held February 6, 2013
- Council Workshop held February 13, 2013
- Council Briefing held February 18, 2013
- Regular Council Meeting held February 18, 2013

ANNOUNCEMENTS

Councilmember Tom Taylor

- Mr. Taylor stated he met with the Parks and Recreation staff about the upcoming parade and he was very pleased with the plans. Mr. Taylor suggested a walk through the business district to encourage more participation. The cut-off date to enter a parade float is the end of March for the April 28, 2013 parade.

Mayor Charlie Latham

Mayor Latham made the following announcements:

- Council members Wilson, Vogelsang and I were invited to participate in the Governor's Press Conference on February 11th to announce the state's investment of \$78 million to modify the interchanges between I-95 and JTB.

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- On February 21st several of us (council) had the opportunity to meet the new Duval County School Superintendent, Dr. Vitti, at Fletcher High School Media Center. It's clear that Dr. Vitti has a great vision for our school system.
- A parking workshop was held on February 25th. This was primarily a meeting for the council to discuss options. We did take several comments from residents at the conclusion of council discussions and we should be addressing parking at the next council meeting on March 18th.
- On February 28th we hosted a town hall meeting for State Senator Aaron Bean. Senator Bean listed 'saving the ferry' and 'pension reform' as two of his top concerns.
- This past Sunday, March 3rd, I was invited to speak at the First Christian Church's fellowship breakfast. I very much appreciated the opportunity to meet with the members of the church to discuss the City's priorities.
- On March 6th at 6:30 PM in the Council Chambers, there will be a workshop to discuss vagrancy and crime in the downtown area.

Councilmember Chris Hoffman

- Ms. Hoffman expressed her interest to participate and be involved in the planning for the parade.

Councilmember Jeanell Wilson

- Asked if a report on the Donna 26.2 Run was available. Interim Police Chief Pat Dooley advised that he did not have an official report; however, there were very few complaints during the event.

Councilmember Phil Vogelsang

- Mr. Vogelsang inquired about the format for the workshop on March 6, 2013. It was confirmed that representatives from Sulzbacher Center, Mission House, and Chamber of Commerce have been informed and invited to attend. This will be an information gathering session to identify problems and work on solutions.

COURTESY OF THE FLOOR TO VISITORS

Speakers:

- Bill Stevens, 733 2nd Avenue North, Jacksonville Beach
Mr. Stevens commended the Council for being proactive in building community. He spoke about the downtown businesses offering to help with funding off-duty police officers to help with the prevention of problems.
- Lance Folsom, 1022 North 23rd Street, Jacksonville Beach
Mr. Folsom addressed the Council about item 6a of the agenda, 4th of July Special Event. He expressed his concerns about keeping downtown orderly and safe and not have fireworks. He liked the idea of event with patriotic music.

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- Maria C. Cummins, 3704 Duval Drive, Jacksonville Beach
Ms. Cummins spoke about low speed vehicles (LSVs) and stated that she is in favor of the reserved parking proposal.
- Clark Howard, 3629 Ocean Drive South, Jacksonville Beach
Mr. Howard commended the Council and the City staff for their responsiveness to the parking issues and stated they are doing a great job. He stated he continues to see improvements in the community.
- Gerry Williamson, 3804 Duval Drive, Jacksonville Beach
Mr. Williamson addressed the Council about LSVs and parking of these should be in existing parking spaces. He also talked about the people who won't use the paid parking and go into the neighborhoods and take up spaces from residents.
- Lee Ligo, 3938 Duval Drive, Jacksonville Beach
Mr. Ligo commended the Council and City staff for the workshops on LSVs and parking plans. He stated he thought it was positive for people both west and east of 3rd Street – a 'win-win'.
- Thad Mosely, 3701 Duval Drive, Jacksonville Beach
Mr. Mosely addressed the Council about LSVs and stated that parking of these should not be in right-of-ways or at residential street-ends. He stated there should be a list provided to LSV operators of parking areas.
- Bert Bost, 495 34th Avenue South, Jacksonville Beach
Mr. Bost addressed the Council about LSVs stating that they are here to stay – more people are using them and they are street legal. Mr. Bost presented 4 options for consideration and distributed copies to the Mayor and Council, copy on record.
- John Galarneau, 2002 Grove Street, Jacksonville Beach
Mr. Galarneau addressed the Council about parking workshops and his involvement with them since 2010. He stated he is not in favor of paid parking but thought it was premature to do away with the current parking system until there is a long term solution.
- Sonny Smith, 468 32nd Avenue South, Jacksonville Beach
Mr. Smith addressed the Council about LSVs and parking, stating that he has been using one for about 4 years to take his family to the beach. He said there is a problem with people that come to the beach using JTB and going down 37th Avenue South for parking and beach access.
- Chad Starkey, 3656 Isabella Blvd., Jacksonville Beach
Mr. Starkey addressed the Council about LSVs stating that he was not sure of a solution and that it could get worse before it gets better. Mr. Starkey stated it's not always safe crossing 3rd Street no matter what you are on or in - a bicycle, a car, or an LSV. People just want to get their families to the beach safely.
- Mike Clements, 3390 Isabella Blvd., Jacksonville Beach
Mr. Clements addressed the Council about LSVs and getting his family safely across 3rd Street.

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- JoDee Evans, 63 South 37th Avenue, Jacksonville Beach
Ms. Evans addressed the Council about LSVs and parking. She stated that the beach is lacking in parking all over and she didn't want the beach access locations or yards torn up.
- Jon Cummins, 3704 Duval Drive, Jacksonville Beach
Mr. Cummins addressed the Council about LSVs and parking, stating the beach access locations are for pedestrians, not vehicles.

Courtesy of the floor concluded at 7:48 PM.

MAYOR AND CITY COUNCIL

CITY CLERK

CITY CLERK:

Appointment of a Second Alternate Member to the Planning Commission to Complete an Unexpired Term.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to appoint a second alternate member to the Planning Commission to complete an unexpired term, which will expire on January 31, 2015.

Mr. Hartkemeyer made a motion to nominate Rick Knight for the second alternate member. Mr. Doherty seconded the motion.

Discussion ensued about the recent interviews of seven board applicants conducted February 11, 2013. Rick Knight and Georgette Dumont expressed interest in the Planning Commission.

Ms. Wilson stated that Rick Knight would be a great candidate; however, this could be an opportunity to get someone new involved with the City.

Mr. Doherty made a motion to nominate Georgette Dumont for the second alternate member. Mr. Vogelsang seconded the motion.

Mayor Latham called for a roll call vote, asking the Council to state the name of the candidate of their choice.

Roll call vote: Dumont: Doherty, Hoffman, Taylor, Vogelsang, Wilson, Mayor Latham
Knight: Hartkemeyer

Georgette Dumont was appointed as the second alternate member to the Planning Commission.

CITY MANAGER:

- (a) Approve a special event for the 4th of July that will be conducted by Jax Beach Festivals, Inc.

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Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to Approve Jax Beach Festivals, Inc., to produce a 4th of July event as described in a memo from the City Manager dated February 25, 2013.

Mr. Forbes stated that Sam Veal has conducted events for over 20 years for the City of Jacksonville Beach. Mr. Veal was contacted by the City and he has submitted a proposal for the event per our stipulations, as follows:

1. The event is self-supporting, no City monies. The City is co-sponsoring the event so there will be no rental fees.
2. The Latham Parking lot must remain open during the event.
3. The event will take place at the Seawalk Pavilion/Latham Plaza.
4. Mr. Veal must obtain a special events permit from the City and pay the costs for Police, garbage collection, etc.

Following are the guidelines for Mr. Veal to produce the event:

1. The event will be 4pm – 9pm, may consist of live music with a patriotic theme, and 4th of July historic features such as the recital of the Declaration of Independence.
2. The event will include the sale of hamburgers, hot dogs, ice cream, beer and soda, at the fenced-in Seawalk area east of 1st Street.

Mr. Forbes displayed photos of a previous festival at the Seawalk Pavilion and a fireworks display.

Mr. Forbes stated if the Council wants to consider a fireworks display it would cost the City \$25,000.00, plus the expense of security. The Mayor asked Sam Veal to the podium to address the Council.

Mr. Veal, Jax Beach Festivals, Inc., stated that his idea is for our citizens to participate with this event by using an on-line marketing campaign called 'Kickstarter'. This is a funding website where people will have a choice for helping fund the costs of the fireworks display and the expense of security and clean-up.

Mr. Veal stated the entertainment will consist of popular and big-band music as well as patriotic themed music, and the recitation of the Declaration of Independence by Mayor Latham. Mr. Veal stated that, if Council approves fireworks, he has a \$3,500.00 sponsorship promised from Metro PCS.

Ms. Wilson stated that she likes the family theme for this event and not having to use City funds. She hopes the on-line funding resource will be successful for the expenses of fireworks and security.

Mr. Hartkemeyer had questions about the total cost of the event, fireworks and sponsorship. The City Manager responded that Sam Veal will run the special event. The City will run the fireworks display, if Council approves. Mr. Forbes stated that we need to know by March 15,

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2013 if there will be fireworks because the City will have to guarantee the \$25,000.00 cost of the fireworks display, plus the expense of security.

Mr. Veal stated to the Council that there is the option of just having a fireworks display without the event.

Mr. Taylor had questions about alcohol at the event. Mr. Veal said there will be a large tent for all food and beverages. There will be beer and wine available per the City's guidelines and ordinance.

Discussion continued about public safety and Interim Police Chief Pat Dooley came to the podium to address the Council.

Chief Dooley stated Mr. Veal does an excellent job working with the City when doing his events. Chief Dooley added that it does get complicated and very labor intensive with fireworks because of the crowds and traffic. Also, he stated that residents don't scale back on fireworks whether the City is doing a show or not – the officers collect barrels of fireworks from the neighborhoods. (no arrests)

Mayor Latham asked what are the logistics of lane closings to help with the increased traffic. Chief Dooley stated there has to be an officer at each intersection. Even with all available officers working, including the added 20-25 JSO officers, we don't have the manpower to close roads.

Mr. Doherty described the 2011 4th of July event and fireworks as the perfect storm – it was a weekend, our City was 1 of only 2 locations in Duval County having a fireworks display. The Jacksonville Landing was the other location.

Discussion continued about other cities having events and the possibility of that lessening the crowds, or closing off 1st Street. Chief Dooley stated closing 1st Street would create problems for the businesses and the hotels. As for the other option, the Chief stated that Jacksonville Beach is a big draw for lots of different people.

The Mayor asked about utilizing the Citizens On Patrol (COPs) volunteers for help with the crowds, parking, and traffic. Chief Dooley responded that they have about 30 volunteers that the department actively uses in traffic control and still it is not enough.

There was more discussion about the increase in bicycle traffic during these events and safety problems.

Ms. Hoffman stated there could be a separate meeting about fireworks. She asked if the Council is voting on the special event and fireworks together or separately. Mr. Forbes responded that it would be separately.

Mr. Doherty asked the City Manager if other cities have helped with the costs of the fireworks.

Mr. Forbes responded that sometimes Jacksonville Beach has received funds from the Tourism Development Council, Neptune Beach, and Atlantic Beach. Neither Neptune Beach nor Atlantic Beach has funds budgeted this year.

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The motion on the floor is to approve Jax Beach Festivals, Inc., to produce a 4th of July event as described in a memo from the City Manager dated February 25, 2013.

Roll call vote: Ayes: Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, Doherty, and Mayor Latham; motion carried unanimously.

Motion: It was moved by Mr. Vogelsang, seconded by Mr. Doherty, to approve \$25,000.00 for a Fireworks display, and \$2,000.00 for security, with the 4th of July event by Jax Beach Festivals, Inc., from the unanticipated expense general fund.

Roll call vote: Ayes: Hoffman, Taylor, Vogelsang, Wilson, Doherty, and Mayor Latham; Nays: Hartkemeyer. The motion passed by a vote of 6 to 1.

- (b) Authorize the Execution of Closing Documents to Finalize Purchase of Real Property. (Lot 22, Block 5, Sea Side Park Subdivision)

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to authorize the Mayor and City Manager to execute the closing documents to finalize, at the agreed purchase price and total estimated City closing costs, the City purchase of the real property described as Lot 22 and closed rights-of-way lying northerly and easterly as recorded, Block 5, Sea Side Park Subdivision, as explained in the memorandum from the Public Works Director dated February 21, 2013.

Mr. Forbes stated this is a low lying area that will be used for stormwater retention.

Roll call vote: Ayes: Hoffman, Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, and Mayor Latham; motion carried unanimously.

- (c) Authorize the Execution of Closing Documents to Finalize Purchase of Real Property. (Lots 15 and 16, Block 9, Pine Grove Unit 2 Subdivision)

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to authorize the Mayor and City Manager to execute the closing documents to finalize, at the agreed purchase price and total estimated City closing costs, the City purchase of the real property described as Lots 15 and 16, Block 9, Pine Grove Unit Number 2 Subdivision, as explained in the memorandum from the Public Works Director dated February 21, 2013.

Mr. Forbes stated this is a low lying area that will be used to create stormwater retention in the future. Photos of the property located at 1318 North 6th Avenue were displayed. Mr. Forbes stated the City plans to raze/demo the vacant house as soon as possible and let it be a grassy area. Mr. Forbes stated that it will cost approximately \$6,000 to \$10,000 to demo the house.

Roll call vote: Ayes: Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, and Mayor Latham; motion carried unanimously.

- (d) Approval of Lease Agreement for Chris Larson d/b/a Big Fish Roofing Company to Lease Property at the Jacksonville Beach Industrial Park.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to authorize the City Manager and Mayor to execute a lease agreement with Chris Larson d/b/a Big Fish Roofing to lease property at the Industrial Park.

Mr. Forbes had displayed photographs of the area. This is a five year lease, beginning March 1, 2013, with an option to renew for one year terms. The annual amount for leasing the property is \$8,338.51, or \$694.88 per month.

Roll call vote: Ayes: Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, Taylor, and Mayor Latham; motion carried unanimously.

RESOLUTIONS

(a) Resolution No. 1912-2013

Mayor Latham requested that Resolution No. 1912-2013, be read by title; whereupon Ms. Pyatte read the following:

“A RESOLUTION AMENDING THE OPERATING BUDGET OF THE CITY OF JACKSONVILLE BEACH, FLORIDA FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2012, AND ENDING SEPTEMBER 30, 2013.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Resolution No. 1912-2013, adopting the mid-year budget adjustment

Roll call vote: Ayes – Wilson, Doherty, Hartkemeyer, Hoffman, Taylor, Vogelsang, and Mayor Latham; motion carried unanimously.

ORDINANCES

(a) Ordinance No. 2013-8024 – SECOND READING

Mayor Latham requested that Ordinance No. 2013-8024, be read by title; whereupon Ms. Pyatte read the following:

“AN ORDINANCE AMENDING CHAPTER 32, UTILITIES, OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA; PROVIDING THE METHOD OF CALCULATING THE MAXIMUM ANNUAL CONTRIBUTION MADE BY THE ELECTRIC UTILITY FUND TO THE GENERAL FUND TO BE INCLUDED IN THE CITY’S ANNUAL OPERATING BUDGET; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2013-8024, establishing an annual maximum transfer from the electric utility to the general fund and prescribing the methodology for calculating the transfer amount.

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Roll call vote: Ayes – Doherty, Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, and Mayor Latham; motion carried unanimously.

ADJOURNMENT

There being no further business coming before the Council, Mayor Latham adjourned the meeting at 8:50 p.m.

Submitted by: Nancy J. Pyatte
Assistant City Clerk

Approval:

/s/William C. Latham

William C. Latham, Mayor

Date: March 18, 2013