

**Minutes of Regular City Council Meeting
held Monday, November 18, 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 were City Manager George Forbes, City Department Directors and Judy Bullock, City Clerk.

APPROVAL OF MINUTES

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

- Regular City Council Meeting held November 4, 2013
- City Council Workshop held November 4, 2013

ANNOUNCEMENTS

- Mr. Taylor stated that he had attended a Veteran’s Day Celebration at San Pablo Elementary School. He added that children from kindergarten to fifth grade participated.
- Mr. Taylor advised that he was also in attendance at former Atlantic Beach Mayor Borno’s end of term last week.
- Keith Doherty expressed his appreciation to all of the people that took part in the “Celtic Festival”. He also stated that monies from a Fire Truck Pull Event were donated to an injured City of Jacksonville Beach Firefighter.

Mayor Latham’s announcements –

- Mayor Latham congratulated the Beaches Area Historical Society on their successful GALA on Friday, November 8, 2013. He added that Mr. Van De Gutche, Ms. Cornelius, and many volunteers have accomplished amazing things during the past year.

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- He advised that he had another ride along with the Jacksonville Beach Police on Saturday, November 9, 2013, with Corporal Smith and that the department continues to impress him with their dedication and professionalism. Mayor Latham announced that he attended a pinning ceremony earlier in the day for the following four officers that received promotions:
 - Commander Mark Evans
 - Sergeant Homer Morodomi
 - Corporal Jason Sharp
 - Corporal Michael Abate
- Mayor Latham advised that he was honored to represent Jacksonville Beach during the Veteran's Day Celebration at the Beaches Veteran's Memorial Park.
- At the Transportation Planning Organization, it was announced that the TPO was soliciting public inputs for our long-range transportation plan. The inputs will be accepted online at (www.pathforward2040.com). He has also requested that the TPO link be posted on the City's website.
- Mayor Latham extended his appreciation to the Beaches Exchange Club for the fish fry held at Pablo Towers last Thursday.
- Mayor Latham extended his appreciation to Kurtis Loftus and Rob Nicholson for the hard work they are putting into this year's Christmas lights. He added that he is looking forward to seeing the results.
- He congratulated Councilmember Doherty for the very successful Celtic Festival and added that it was a great family oriented event.
- Mayor Latham advised that Atlantic Beach's Mayor Borno had reached the end of his term of office and said that he sincerely thanks Mayor Borno for all he has done for Jacksonville Beach through the TPO and for being a great role model. Mayor Latham also wished Atlantic Beach Mayor Carolyn Woods the best in her new position.
- Mayor Latham stated that the current Council would have been in office for one year, as of Tuesday, November 19, 2013.

COURTESY OF THE FLOOR TO VISITORS

Speakers:

- Jim Overby, 21 Burling Way, Jacksonville Beach
Mr. Overby congratulated the City for the family-oriented "Celtic Festival".

MAYOR AND CITY COUNCIL

(a) Certificates of Appreciation

- Fred Jones, Planning Commission

Mayor Latham read and presented Mr. Jones with a Certificate of Appreciation for his service to the community on the Planning Commission.

- Bobby Jolley, Board of Adjustment

Mayor Latham read and presented Mr. Jolley with a Certificate of Appreciation for his service to the community on the Board of Adjustment.

- Steve Lindorff, Director of Planning & Development

Mayor Latham presented Mr. Lindorff, on behalf of the City of Jacksonville Beach Community Redevelopment Agency, with an award for '2013 Outstanding Public Development for Jacksonville Beach Downtown Vision Plan, Phase II Implementation.

Mayor Latham advised that the Council and the City will be reevaluating the Vision Plan [Redevelopment Plan] early next year.

CITY CLERK

CITY MANAGER

(a) Monthly Financial Reports – Month of October 2013

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to accept the Financial Reports for the month of October 2013.

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

(b) Approve a Shelter, Pavers, Benches, and Trees at Paws Dog Park using Donations

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the improvements to Paws Dog Park using donation funds, as described in a memorandum from the Parks and Recreation Director, dated November 7, 2013.

Mr. Forbes explained that the improvements for the small dog park will include an additional shade shelter, pavers, benches, and tree planting. He advised that the funds for the improvements are from donations and events held at the park. Currently, there is \$9,000 available to fund the improvements.

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

- (c) Approve the acceptance of a Donation in the amount of \$6,950.91 for Two (2) Police Patrol Bicycles and Bicycle Rodeo Equipment from Firehouse Subs Public Safety Foundation.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the acceptance of the donation of \$6,950.91 from Firehouse Subs Public Safety Foundation to purchase patrol bicycles and bicycle safety related equipment to be used by the Police Department, described in a memo, dated November 4, 2013, from Chief Patrick Dooley.

Mr. Forbes advised that Firehouse Subs has a program that provides donations for equipment to Police Departments and Fire Departments. Currently, Firehouse Subs would like to donate \$6,950.91 to the Police Department for purchase of two police patrol bicycles and bicycle rodeo equipment.

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

- (d) Accept Donation of a Computer System to be used by the Police Department to Investigate Internet Crimes Against Children.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the acceptance of the donation of computer equipment valued at \$3,500, to be used by the Police Department to investigate Internet Crimes against children, as described in a memo, dated November 8, 2013, from Chief Patrick Dooley.

Speaker:

- William "Bill" Bissonette, 19 Fairway Lane, Jacksonville Beach

Mr. Bissonette advised that he is the Governor of the local Moose Lodge No. 1558 and the organization is donating a stand-alone computer system with software, printer(s), and onsite training to assist in the investigation of Internet Crimes against Children (ICAC). Mr. Bissonette explained that the system is independent and runs 24 hours a day. Its function is to monitor messages for specific words and phrases, it then notifies the police officers and captures the IP address to allow the officers to review the conversation and determine if there is a concern.

Commander Smith advised that they have been utilizing this type of system in Gainesville, Florida. He added that it would be helpful to have a system onsite.

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

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(e) Award RFP #04-1213 for Special Events Production Services

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the award of RFP #04-1213, Special Events Production Services to PRI Productions, for a period of one (1) year, with an option for the City Manager to renew for up to four (4) additional years, as described in the memorandum from the Parks and Recreation Director, dated November 8, 2013.

Mr. Forbes explained that the City seeks proposals approximately every five years for Special Events Production. He stated that the City sponsors Moonlight Movies, Jazz Concert Series, Fourth of July, etc. The City does not own sound systems, lighting, projectors, a screen, or trained staff to operate the equipment. Three proposals were received and after extensive review and evaluation, it was recommended to award the proposal to PRI Productions.

Mr. Doherty asked about the costs for the production services.

Mr. Forbes responded that prices are not part of an RFP, however prices were reviewed, and PRI Productions had the lowest prices. He stated that only two of the three proposals would give us prices.

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

(f) Approve Final Plat Documents for the Three-Lot *Channel Cove* Single-Family Residential Subdivision.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the Final Plat for the three-lot *Channel Cove* subdivision.

Mr. Forbes advised that the property owner wants to subdivide the property into three lots of at least 10,000 square feet for residential single-family construction. One of the lots will be accessed from Hopson Road and the other two will be accessed from the southerly Beach Boulevard frontage road.

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

RESOLUTIONS

(a) **RESOLUTION NO. 1925-2013**

Mayor Latham requested that the City Clerk read Resolution No. 1925-2013 by title only; whereupon Ms. Bullock read the following:

“A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY ONLINE.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Resolution No. 1925-2013: A Resolution providing for the sale of surplus property.

Mr. Forbes stated that the City normally has an auction once or twice a year to offer surplus items, such as computer equipment and vehicles for sale. He added that the auction is now held via the internet.

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

ORDINANCES

(a) ORDINANCE NO. 2013-8036 – FIRST READING – PUBLIC HEARING

Mayor Latham requested that the City Clerk read Ordinance No. 2013-8036, by title only; whereupon Ms. Bullock 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 DELETING SECTION 34-160 OF ARTICLE VI. *DEVELOPMENT REVIEW PROCEDURES*, AND BY AMENDING BY REPLACEMENT SECTION 34-521 THROUGH SECTION 34-565 OF ARTICLE X. *ADEQUATE PUBLIC FACILITIES STANDARDS* IN ORDER TO IMPLEMENT A MOBILITY FEE PROGRAM; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2013-8036, amending the text of the Land Development Code in order to implement a Comprehensive Plan mandated mobility fee program.

Mr. Fred Jones of the consulting firm Reynolds, Smith & Hills, gave a presentation on the Mobility Fee System, which eliminates its existing roadway-based transportation concurrency system.

Mr. Jones explained that the proposed amendment to the Land Development Code is a required follow-up to the City’s adoption of the 2030 Comprehensive Plan in December 2011. Unlike the concurrency plan the mobility plan would allow the City to address the full range of transportation modes available (i.e. pedestrian, bicycle, bus, trolley, and auto), as opposed to simply trying to add roadway capacity, in an effort to reduce future growth in vehicle trips.

Concurrency is the process for ensuring that public infrastructure (roads, water, sewer, parks, etc.) is in place for new development. Since the City is nearly built-out, there is no way to add vehicle capacity, such as additional lanes to major roadways, i.e. A1A/3rd Street. Since the City cannot add lanes to the roadways, under the concurrency program, 3rd Street is at capacity, so new development could not be approved if it would add traffic to 3rd Street. The Mobility Fee Program will replace the existing proportionate fair share program. Mr. Jones added that the City should develop a separate mobility fee application and calculation certificate, which clearly defines the requirements and procedures to reach an accurate estimate and contract and the fee would be paid before a Certificate of Occupancy can be issued.

Public Hearing

Mayor Latham opened a Public Hearing and asked if anyone wished to speak in favor of or in opposition to Ordinance No. 2013-8036.

Speaker:

- Jim Overby, 21 Burling Way, Jacksonville Beach
Mr. Overby stated that he was not opposed to the Ordinance, but the service provided by JTA is poor. The original trolley was small and it allowed communication among the riders, but JTA decided to replace the smaller trolley with a large vehicle, which has had a negative impact on the trolley system.

Mr. Jones responded to Mr. Overby's comments regarding the trolley and advised that they are addressing that issue with JTA, and JTA is looking at restoring the original trolley system to the smaller areas of town, such as Jacksonville Beach.

There being no further speakers, Mayor Latham closed the Public Hearing.

Discussion

Mr. Forbes clarified that the proposed changes affect the traffic issues, and encourages people to ride bicycles, take the bus. He added that the new Mobility System is business friendly. Mr. Forbes also pointed out that additional bus shelters are needed and currently mobility fees will be used for shelters and sidewalks as detailed in the City's Capital Improvement Plan. He stated that each year staff will present Council with a Capital Improvement Plan with recommended improvements. .

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

(b) ORDINANCE NO. 2013-8034 – SECOND READING

Mayor Latham requested that the City Clerk read Ordinance No. 2013-8034 by title only; whereupon Ms. Bullock 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 NATURAL GAS 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. 2013-8034, establishing an annual maximum transfer from the Natural Gas Utility to the general fund and prescribing the methodology for calculating the transfer amount, as read by title.

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

(c) **ORDINANCE NO. 2013-8035 – SECOND READING**

Mayor Latham requested that the City Clerk read Ordinance No. 2013-8035 by title only; whereupon Ms. Bullock read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 5, GENERAL EMPLOYEES’ RETIREMENT SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES, AMENDING SECTION 2-162.2, DEFINITIONS; AMENDING SECTION 2-162.7, NORMAL RETIREMENT CONDITIONS; AMENDING SECTION 2-162.8, VESTED TERMINATION OF MEMBERSHIP; AMENDING SECTION 2-162.9, AMOUNT OF PENSION; AMENDING SECTION 2-162.20, MEMBER CONTRIBUTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2013-8035, amending Chapter 2, Article V, Division 5, ‘General Employees’ Retirement System’, of the Code of Ordinances of the City of Jacksonville Beach, as read by title.

Mr. Forbes advised that the General Employees’ Union and the City had reached an agreement on the changes to the pension system, which provides the employee with a good pension plan and allows the City to afford to fund the pension.

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

ADJOURNMENT

There being no further business coming before the Council, Mayor Latham called a recess at 8:10 p.m., and announced that the Workshop on Food Trucks would begin in approximately nine minutes.

Submitted by: Judy L. Bullock
City Clerk

Approval:

/s/William C. Latham

William C. Latham, Mayor

Date: December 2, 2013