

**Minutes of Regular City Council Meeting
held Monday, December 16, 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 Taylor; followed by the Salute to the Flag.

ROLL CALL:

Mayor: Charlie Latham

Council Members: Keith Doherty Steve Hartkemeyer Christine Hoffman (*absent*)
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 December 2, 2013
- City Council Workshop held December 2, 2013

ANNOUNCEMENTS

Councilmember Taylor–

- Mr. Taylor expressed his appreciation to the City of Jacksonville Beach Fire Department, Police Department, and, the Beaches Energy Service employees, for volunteering their time to help prepare packages of food for the less fortunate.
- Mr. Taylor advised that he and Councilmember Wilson attended Representative Janet Adkins’s holiday reception. He added that the horn section of the Fletcher High School Band played Christmas music during the reception.

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Mayor Latham –

- Mayor Latham stated that he had the honor of flying out to the USS New York, riding with and welcoming the crew to the ship's new homeport at Mayport Naval Station.
- The 19th Street Charities had an amazing year with over \$15,000 in donations and over 100 bicycles, helmets and locks and presents for distribution.
- Mayor Latham advised that he had attended the Downtown Revitalization and Homeless Workshop held by Jacksonville Council President Bill Gulliford on December 10, 2013. He added that the group is continuing to work with Cindy Funkhouser (Salzbacher Center) on alternative ways to deal with the homeless issue.
- He announced that he had attended Sterling Joyce's Birthday/Toys for Tots celebration at the Casa Marina on December 11, 2013.
- Mayor Latham advised that he attended the monthly meeting on Thursday with the Avalon Subdivision residents and thanked Police Chief Dooley and Officer Bowman for their assistance.
- He toured Mayport's Marine Science Center on December 13, 2013, while attending a meeting called by Jacksonville Council President Gulliford. Also in attendance were City Mayors, UNF, JU, Paul Astelford, Dr. Vitti, FEL Lee, and others. The purpose of the meeting was to review the best way to capitalize the Center as a way to further advance Mayport as a destination point for visitors.
- Mayor Latham extended his appreciation to the "Feed the Hungry" volunteers who helped to prepare over 150,000 meals to be sent to families in Haiti. He expressed a special thank you to Tom Taylor, Phil Vogelsang, Keith and Gra Doherty, Pat and Cathy Dooley, Gary and Shelly Frazier, and heartfelt thanks to Roy Trotter and Harry Royal for the participation by Beaches Energy Services and Customer Support Staff.

Councilmember Wilson –

- Ms. Wilson advised that there is another opportunity to attend Sterling Joyce's party tonight at the Casa Marina. The admission to the event is a toy and a food item. She added that the donations would go to BEAM.

COURTESY OF THE FLOOR TO VISITORS

No one came forward to address the Council.

MAYOR AND CITY COUNCIL

- (a) Presentation by Jacksonville Transportation Authority (JTA) for the Proposed Implementation of a Bus Rapid Transit System Connecting the Downtown Area with Jacksonville Beach.

The presentation was canceled, as no one from JTA was in attendance.

CITY CLERK

CITY MANAGER

- (a) Monthly Financial Reports – Month of November 2013

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

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

- (b) Approve the *Revised Special Events Policy* for the City of Jacksonville Beach

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the *Revised Special Event Policy*, dated December 4, 2013.

Mr. Forbes advised that based on the Council's direction at the December 2, 2013, Workshop, recommended changes have been made to the Policy. Mr. Forbes went on to review the following changes:

- During the months of November, December, January, and February, a *Special Event* can take place up to three days, but cannot exceed a total of twenty hours. This would allow an event to be held on Friday night, Saturday, and Sunday. Mr. Forbes explained that normally, a *Special Event* is from noon to ten on Saturday and Sunday, but it could be held on Friday night during the four-month period, as long as they do not exceed the twenty-hour limit.
- Facility Rental Areas have been amended to clarify that the municipal parking lot abutting Latham Plaza can only be rented during the months of November, December, January, and February. Mr. Forbes advised that there is an exception allowing use of the parking lot during the *Springing the Blues* event and the *Airshow*.

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He added that the other months of the year are “peak” months and the parking lot is necessary for the local businesses.

- Mr. Forbes advised he is also going to request that Council repeal Section 10, in its entirety (pages 27-30). He explained that Councilmember Hoffman had requested that the document be checked for redundancy and it was found that pages 27–30 contained fees, which have been removed and are established by Resolution.

Mr. Forbes explained that he had received questions/comments from Councilmember Hoffman. He handed out her e-mail, for the record, to all Councilmembers, and responded to her questions.

He advised that she was concerned about the limitation of one *Special Event* per weekend. He responded that an event could be held for more than one day, so there should not be any problems. Mr. Forbes further explained that the City has many *Special Events*, such as a volleyball tournament on the beach, and added that Latham Plaza is also used for events, as long as the grassy areas are not damaged.

Mr. Forbes explained that Ms. Hoffman also asked for a status on Food Trucks. He stated that the food truck ordinance should go before the Planning Commission in January 2014, and then to the Council at their January 21, 2014, meeting.

A request was also received from Sam Veal regarding the *Great Atlantic Seafood Festival*. It will be the 25th Anniversary of the festival and he requested an exception to allow the *Festival* to be held over a two-day period, beginning on March 15, 2014. Mr. Veal also requested use of the Latham Plaza parking lot.

Mr. Forbes stated that the *Seafood Festival* should continue to be for one day and advised the Council that they could make an exception for use of the parking lot. He added that the *Great Atlantic Seafood Festival* had utilized the parking lot in prior years.

Ms. Wilson commented that Council had discussed the November to February change and that it would be a pilot program or sunset date. She added that making changes to the policy later would be more difficult without a sunset date.

Mr. Forbes advised that Council has the ability to make changes to the policy if needed, which would make a pilot program or sunset date unnecessary. [Due to this being a Policy, not an Ordinance.] He added that the Council would also consider repealing the 1979 Ordinance, since it was made obsolete many years ago when Council adopted a *Special Events Policy*.

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Mr. Vogelsang requested that the month of October be added, to allow for a family-friendly *Halloween Festival* or *Oktoberfest*.

Mr. Doherty asked where the food vendors set up during summer events?

Mr. Forbes responded that First Street could be utilized since it would be closed in the festival area.

Mr. Doherty remarked he would like to see “*Deck the Chairs*” grow into an event that is more Christmas focused.

Mayor Latham commented that the changes are also to help bring more businesses into the downtown.

Mr. Hartkemeyer voiced his concerns with the “20 hour limitation” and suggested that time limits be defined, such as 6:00 p.m. to 10:00 p.m. on Friday, 12:00 p.m. to 10:00 p.m. on Saturday, and 12:00 p.m. to 6:00 p.m. on Sunday.

Mr. Forbes referred Councilmembers to page 3 (d) of the policy, which reads:

“The length of a festival is limited to one day. The only exceptions to the one-day limit are *Springing the Blues* and the *Sea and Sky Spectacular*, which are three days. Other exceptions are festivals that are scheduled for November, December, January, and February, which may not exceed 20 hours as follows, Friday 7 – 10 p.m., Saturday 12 Noon – 10 p.m., Sunday 12 Noon – 7 p.m.”

Ms. Wilson asked if the amended policy would affect the *Better Jacksonville Beach Art Walk and Dining* held on Tuesday evenings.

Mayor Latham and Mr. Forbes advised that the policy would not have any impact on those activities.

Motion to Amend No. 1: It was moved by Mr. Vogelsang, seconded by Ms. Wilson, to add the month of October to Page 3(d) of the proposed *Special Events Policy*, to allow for an *October Festival*, which would not exceed the twenty hour limitation.

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

Motion to Amend No. 2: It was moved by Wilson, seconded by Mr. Taylor, to amend *Section 10* of the *Special Events Policy* in its entirety, by deleting it in its entirety, the *Definition of Fees, Changes, for Festivals and Special Events held on City Facilities*, which would eliminate pages 27 to 30 of the *Policy*.

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

Original Motion: To approve the *Revised Special Event Policy*, dated December 4, 2013, [with the two approved amendments] made by Mr. Taylor and seconded by Mr. Hartkemeyer.

Conflict of Interest

Councilmember Doherty declared a Conflict of Interest and advised that he would be abstaining from the vote.

Roll call vote: Ayes - Vogelsang, Wilson, Hartkemeyer, Taylor, and Mayor Latham. Councilmember Doherty abstained from the vote. The motion carried.

RESOLUTIONS

(a) **RESOLUTION NO. 1926-2013**

Mayor Latham requested that the City Clerk read Resolution No. 1926-2013 by title only; whereupon Ms. Bullock read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, ESTABLISHING FEES FOR SPECIAL EVENTS.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Resolution No. 1926-2013 establishing rates and fees for *Special Events*.

Mr. Forbes advised that the Resolution simplifies the fees and he reviewed changes that have been made since the workshop meeting:

- Reduce the fee for use of the Latham Parking Lot from \$2,000 to \$1,000, which reflects that the parking lot can only be rented during the non-peak months.
- Reduce the rates for beach events to \$100, to reflect the minimal staff time needed for events held on the beach.

Mr. Forbes added that Council might wish to consider Mr. Veal's request to use the Latham Parking Lot for the *Great Atlantic Seafood Festival* in March 2014. He also advised that Mr. Veal has used the parking lot for the seafood festival in past years.

Ms. Wilson asked about non-profit and for-profit fees, and if the reduced *Beach Events* fee was adequate to cover the City's expenses for staff and cleanup.

Mr. Forbes responded that Parks and Recreation Director Gary Meadors advised that only one for-profit event has been held over the years. As to the reduction for beach events, cleanup would be a separate fee and Mr. Meador's had assured him that beach type events take very little staff time.

Amended Motion: It was moved by Ms. Wilson, seconded by Mr. Taylor, to add the *Great Atlantic Seafood Festival* in March 2014 to page 3 of the Resolution, which will read (*additions underlined*):

“Latham Plaza Parking Lot – (Only available during the months of November, December, January, and February, except for *Springing the Blues*, *The Great Atlantic Seafood Festival in March*, and the *Air Show*.” [The month of October was added as a clarification since it was added to the Special Event Policy, for multi-day events.]

Conflict of Interest

Councilmember Doherty declared a Conflict of Interest and advised that he would be abstaining from the vote.

Roll call vote: Ayes - Wilson, Hartkemeyer, Taylor, Vogelsang, and Mayor Latham. Councilmember Doherty abstained from the vote. The motion to amend carried.

Original Motion: To adopt Resolution No. 1926-2013 establishing rates and fees for *Special Events*, [with the approved amendment] made by Mr. Taylor and seconded by Mr. Hartkemeyer.

Conflict of Interest

Councilmember Doherty declared a Conflict of Interest and advised that he would be abstaining from the vote.

Roll call vote: Ayes - Hartkemeyer, Taylor, Vogelsang, Wilson, and Mayor Latham. Councilmember Doherty abstained from the vote. The motion to adopt with the amendment carried.

ORDINANCES

(a) ORDINANCE NO. 2013-8040 – FIRST READING

Mayor Latham requested that the City Clerk read Ordinance No. 2013-8040, by title only; whereupon Ms. Bullock read the following:

“AN ORDINANCE AMENDING CHAPTER 19.5, “OUTDOOR MUSICAL ENTERTAINMENT OR FESTIVALS”, OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, BY REPEALING IT IN ITS ENTIRETY, AND REPLACING WITH A NEW CHAPTER 19.5, “SPECIAL EVENTS AND FESTIVALS”, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2013-8040 that requires the City to regulate *Special Events and Festivals*, through a *Special Events Policy*, adopted by the City Council.

Mr. Forbes advised that the Ordinance would repeal a lengthy ordinance adopted in 1979 on *Outdoor Music, Entertainment, and Festivals*, which has been obsolete for the past 10 years.

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

ADJOURNMENT

There being no further business coming before the Council, Mayor Latham closed the meeting at 7:41 p.m.

Recognition of Fletcher Students

Mayor Latham requested that the students from Fletcher in attendance for their Civics Requirements to stand. He added that there will be a Town Hall Meeting in January 2014, where

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the Civics Teacher will bring a Junior Council for feedback on how they would make Jacksonville Beach more family friendly.

ADJOURNMENT and RECESS

At this time, Mayor Latham adjourned the meeting and called a five-minute recess before convening the Council Workshop.

Submitted by: Judy L. Bullock
City Clerk

Approval:

/s/William C. Latham

William C. Latham, Mayor

Date: January 21, 2014