

**Minutes of Regular City Council Meeting
held Monday, March 3, 2014, 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: William C. 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, Assistant City Clerk Nancy Pyatte, and Cathy Martinich, City Clerk's Office.

APPROVAL OF MINUTES

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

- City Council Workshop held February 17, 2014
- Regular City Council Meeting held February 17, 2014

ANNOUNCEMENTS

Mayor Latham –

- Mayor Latham thanked Gary Meadors, and the Parks and Recreation staff for their outstanding work on the Paws Park renovation.
- Mayor Latham attended the Fletcher High School Mid-Year with Principal Don Nelson and Fel Lee, Duval County School Board member. Congratulations are in order for Principle Nelson and his staff for their hard work and achieving an “A” grade for Fletcher High School.
- Mayor Latham congratulated Donna Deegan for another successful Marathon! Weather notwithstanding, the event went very well, with no noteworthy incidents.
- Mayor Latham announced that Kurtis Loftis held his first meeting for “Deck the Chairs 2014”. They are off to a good start, and are looking forward to a bigger event this year.

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- Mayor Latham had breakfast with the three beaches City Mayors and City Managers last Thursday with Senator Bean and a representative for Janet Adkin's office to discuss legislative priorities for this year's session. The new session begins Tuesday, March 4, 2014.
- The City Manager and Finance Officer joined Mayor Latham for a meeting with Senator Thrasher in St. Augustine, to discuss legislative priorities for this year. Mayor Latham said although Senator Thrasher is no longer our Senator, he expressed his gratitude for him being an important friend to the beach community, and an ally in meeting the City's goals.
- Mayor Latham and Chief Dooley held a town hall meeting at Pelican Point Condos last Thursday. It was another good meeting with an interesting exchange of information.
- Mayor Latham and his wife, Kathryn, attended the Beaches Community Health Care Family Walk & Fun Festival this past Saturday. He said a large crowd attended, and congratulated Cindy Funkhouser and the Sulzbacher Center for a very successful fundraiser.

COURTESY OF THE FLOOR TO VISITORS

- Fernando Meza, 607 South 7th Avenue, Jacksonville Beach
Mr. Meza spoke about the up-coming time change, high school and college spring break. He asked if there were plans to add more police officers throughout the City to curb any unruly behavior.
- Sandy Golding, 1203 North 18th Avenue, Jacksonville Beach
Ms. Golding thanked Gary Meadors, Tim Biles, Staff, and City Council Members for the renovation of Paws Dog Park. She also thanked the Heinz family for turning their family's tragedy into something special for the community. Mayor Latham said the Heinz family has donated over \$30,000 in their sons' name, toward Paws Dog Park improvements. Mayor Latham presented a Proclamation of Esteem to the Heinz family.
- Mayor Latham recognized the Fletcher Middle School Civic Club in attendance, and thanked them for attending tonight's meeting.

MAYOR AND CITY COUNCIL

CITY CLERK

- (a) Appointment of Two Trustees to the Police Officers' Pension Board, as the Terms of Marvin DuPree and Alan Grant Will Expire on March 31, 2014.**

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to reappoint Marvin DuPree as a pension trustee on the Police Officers' Pension Board for a new two-year term, beginning April 1, 2014 and ending March 31, 2016.

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Discussion: Ms. Hoffman asked if it were possible to review the board applications prior to voting. Discussion ensued regarding eligible applicants for board appointments.

Amended

Motion: An amended motion was made by Ms. Hoffman, seconded by Mr. Vogelsang, to table the item until all board applications are reviewed.

Roll call vote: Ayes - Doherty, Hoffman, Taylor, Vogelsang, Wilson, and Mayor Latham
Nays – Hartkemeyer
Amended motion carried with a vote of 6 to 1.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to reappoint Alan Grant as a pension trustee on the Police Officers' Pension Board for a new two-year term, Beginning April 1, 2014 and ending March 31, 2016.

Amended

Motion: An amended motion was made by Ms. Hoffman, seconded by Mr. Vogelsang, to table the item until all board applications are reviewed.

Roll call vote: Ayes - Hoffman, Taylor, Vogelsang, Wilson, Doherty, and Mayor Latham
Nays – Hartkemeyer
Amended motion carried with a vote of 6 to 1.

(b) Appointment of Two Trustees to the Firefighters' Pension Board, as the Terms of Bruce Anderson and Dennis Povloski Will Expire on March 31, 2014.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to reappoint Bruce Anderson as a pension trustee on the Firefighters' Pension Board for a new two-year term, Beginning April 1, 2014 and ending March 31, 2016.

Amended

Motion: An amended motion was made by Ms. Hoffman, seconded by Mr. Vogelsang, to table the item until all board applications are reviewed.

Roll call vote: Ayes - Hoffman, Taylor, Vogelsang, Wilson, Doherty, and Mayor Latham
Nays – Hartkemeyer
Amended motion carried with a vote of 6 to 1.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to reappoint Dennis Povloski as a pension trustee on the Firefighters' Pension Board for a new two-year term, Beginning April 1, 2014 and ending March 31, 2016.

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Amended

Motion: An amended motion was made by Ms. Hoffman, seconded by Mr. Vogelsang, to table the item until all board applications are reviewed.

Roll call vote: Ayes - Taylor, Vogelsang, Wilson, Doherty, Hoffman, and Mayor Latham
Nays – Hartkemeyer
Amended motion carried with a vote of 6 to 1.

(c) Appointment of a Regular Member and an Alternate Member to the Board of Adjustment.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to appoint Scott Cummings to the Board of Adjustment as a Regular Member, to complete Mr. Corey's term. The unexpired term, will end on August 6, 2016.

Amended

Motion: An amended motion was made by Ms. Hoffman, seconded by Mr. Vogelsang, to table the item until all board applications are reviewed.

Discussion: Mr. Taylor pointed out that Mr. Cummings is already an alternate on the board and that it would be appropriate to approve his appointment to the board, filling Mr. Corey's unexpired term.

Mayor Latham noted that Mr. Gallimore declined the offer to move up from an alternate position to a regular board member.

Motion to Withdraw: Ms. Hoffman withdrew her amended motion.

Original Motion

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

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to appoint Britton Sanders or Jeff Truhlar to the Board of Adjustment as a second Alternate Member to complete Mr. Cummings' term, which will expire on January 31, 2015.

Motion: It was moved by Mr. Hartkemeyer, seconded by Mr. Doherty, to appoint Britton Sanders to the Board of Adjustment as a second Alternate Member to complete Mr. Cummings' term, which will expire on January 31, 2015.

Amended

Motion: It was moved by Ms. Hoffman, seconded by Mr. Vogelsang to table item two of this recommendation pending review of board applications.

Roll call vote: Ayes - Wilson, Hoffman, Taylor, Vogelsang, and Mayor Latham

Nays - Doherty, Hartkemeyer
Amended motion carried with a vote of 5 to 2.

CITY MANAGER

(a) Approval of Projects for the FY 2014-2015 Community Development Block Grant Application to the City of Jacksonville.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the Community Development Block Grant application for fiscal year 2014-2015 as outlined in a memo from Parks and Recreation Director Gary Meadors dated February 18, 2014.

Discussion: Mr. Forbes explained Community Block Grants and Federal monies received through Jacksonville are used to assist low income residents. Discussion continued regarding grant money expenditures.

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

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to authorize the City Manager to vary the funding levels of the recommended projects in accordance with the priorities listed to meet changes in funding and adjust our application accordingly.

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

(b) Authorize the City Manager to Retain the Services of Responsible Hospitality, Inc. to Assist in Developing a Plan for a Hospitable Downtown Jacksonville Beach.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to retain the services of *Responsible Hospitality, Inc.* on a per diem basis to assist in developing a new vision plan for the downtown as described in a memo from the City Manager dated February 22, 2014.

Discussion: Mr. Forbes reviewed the slide presentation that explained the Redevelopment that has occurred in the downtown area since 1995. The goal now is to have a hospitable downtown – with the right balance to maintain a high quality of life. He said there would be training information sessions and tours for citizens to participate in and give input. Business recruiting and retail strategies will be a priority, as well as completing the public infrastructure projects that are necessary.

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Mr. Doherty spoke against using *Responsible Hospitality, Inc.* and expressed confidence within community resources here locally, to provide input and recommendations.

Discussion ensued about retaining *Responsible Hospitality, Inc.*, and the positive possibilities from their input.

Roll call vote: Ayes - Hoffman, Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, and Mayor Latham

Nays - Doherty

Motion carried with a vote of 6 to 1.

(d) Authorize Final Design Services for the South Beach Parkway Roadway Improvements Project (Between Jacksonville Drive and J. Turner Butler Boulevard) with Waitz & Moye Engineering.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to authorize the final design services for the South Beach Parkway Roadway Improvements between Jacksonville Drive and J. Turner Butler Boulevard with *Waitz & Moye Engineering* as explained in the memorandum from the Public Works Director dated February 22, 2014

Discussion: Mr. Forbes detailed the plans for the new roadway and improvements to the flow of traffic in this area. He reiterated that our engineers will be presenting a final plan after workshops and input is compiled.

Ms. Wilson asked about the project plans and the funding. It was confirmed that these are concept plans of the proposed design. Funding comes from the Community Redevelopment Agency with TIF monies designated for this area in the Redevelopment District.

Mr. Doherty inquired if the developer was incurring any costs for this project. Mr. Lindorff replied that the developer is giving 12 feet of property to the City to add dedicated southbound and westbound turn lanes.

Mr. Vogelsang suggested that there be a dedicated left turn lane from South Beach Parkway onto Jacksonville Drive, as well as a dedicated left turn lane into the subdivision.

Mayor Latham noted there is also a need for a dedicated left turn lane northbound on South Beach Parkway, turning westbound onto Marsh Landing Parkway.

Mr. Lindorff said that traffic engineers from *Waitz & Moye Engineering* were present and would take in all comments and recommendations made regarding traffic pattern concerns.

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

RESOLUTIONS

ORDINANCES

(a) ORDINANCE NO. 2014-8050 – First Reading - PUBLIC HEARING

Mayor Latham requested that the Assistant City Clerk read Ordinance No. 2014-8050, by title only; whereupon Ms. Pyatte read the following:

“AN ORDINANCE ESTABLISHING A *REDEVELOPMENT DISTRICT: RD ZONING DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER THE JACKSONVILLE BEACH LAND DEVELOPMENT CODE, CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY. (This is for Pablo Towers, 115 South 3rd Street, and involves the demolition of the one story building adjacent to the residential tower, and replacing it with a three story building.)”*

Mayor Latham read the following introduction to the Public Hearing:

“This ordinance for the *Redevelopment District: RD* rezoning of a property is before this Council for a public hearing and consideration on its first reading. Under the laws of the State of Florida, an application to amend the zoning regulations or map governing a property is handled as a ‘quasi-judicial’ proceeding. A quasi-judicial proceeding means that a governing body is now functioning in a manner similar to a court with the Mayor and Council sitting as impartial decision makers hearing testimony and questioning presenters, who are to provide substantial and competent evidence to support their side of the issue. It is the duty of the Council to arrive at sound decisions regarding the use of property within the City. This includes receiving citizen input regarding the proposed use on the neighborhood, especially where the input is fact-based and not a simple expression of opinion.

It is the applicant’s burden to demonstrate that his or her application is consistent with the Land Development Code and the Comprehensive Plan. If the applicant is successful in showing consistency, then it is up to the local government to produce competent, substantial evidence of record that the application should be denied. The Council’s decision on a rezoning application is based on the criteria set forth in Section 34-211 of the Land Development Code. Each member of the Council has been provided a copy of the criteria.

In addition, the Council has received a copy of the application and the Staff, Planning Commission, and Community Redevelopment Agency recommendations on this rezoning request.

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I will now open the public hearing on Ordinance No. 2014-8050.”

Speaker: Timothy H. Powell, President of Board of Beaches Christian Service Corporation in Pablo Towers, along with Melissa Gilrith, Executive Director of the LA Housing Management Association

Mr. Powell gave a history of Pablo Towers and said the 40 year loan was finally paid in full. The facility would now like to add a three-story building that would enhance services, rooms, and the facility replacing Strange Hall. He detailed the proposed plans that are for the three-story building, services to be housed in the new facility, and parking lots.

Mayor Latham asked if anyone would like to speak in favor. No one spoke.

Mayor Latham asked if there was anyone wishing to speak in opposition.
The following person spoke in opposition to the project:

Chris Hand, 612 Lower 8th Avenue South, Jacksonville Beach

Discussion: Mr. Forbes explained the facility is there to stay and that the services provided over the years have been an important contribution to the community. Mr. Powel stated that the proposed changes to the building will only provide more assistance to the elderly and enhancing the residents’ facilities.

Mayor Latham closed the Public Hearing.

“Before requesting a motion on this ordinance, beginning with myself, each of the members is requested to indicate for the record *both the names of persons and the substance* of any *ex-parte* communications regarding this application. An *ex-parte* communication refers to any meeting or discussion with a person or citizen who may have an interest in this decision, which occurred outside of the public hearing process.”

Mayor Latham asked the Assistant City Clerk to pole the Council Members:

Vogelsang – “None”

Wilson – “None”

Doherty – “None”

Hartkemeyer – “None”

Hoffman – “None”

Taylor – “None”

Mayor Latham – “None”

Mayor Latham asked the Assistant City Clerk if any written communications were received. Ms. Pyatte responded “No Sir”.

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Mayor Latham asked Mr. Taylor to read the recommendation by title only:

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2014-8050, establishing a Redevelopment District: RD zoning district to allow the proposed addition of a three-story Enhanced Services and Rooms Building on the Pablo Towers property located at 115 South 3rd Street.

“Before opening the floor for discussion or questions by the Council, please be reminded that our decision will be based on the criteria set forth in the Land Development Code, and the Council is required to approve a clear statement of specific findings of fact stating the basis upon which such facts were determined and the decision was made.”

Ms. Wilson noted Pablo Towers has been an important facility in the community and complemented the plans for expansion. Discussion continued regarding the services that are in the refinement stage, parking spaces, and the positive redevelopment of this location.

Mr. Powell said that the building was originally dedicated by Julie Nixon Eisenhower and they are talking to her agent to schedule her to come back for this upcoming dedication. The celebration will be on April 11, 2014 for the dedication.

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

ADJOURNMENT

There being no further business coming before the Council, Mayor Latham adjourned the meeting at 8:15 p.m.

Submitted by: Cathy Martinich
City Clerk's Office

Approval:

/s/William C. Latham

William C. Latham, Mayor

Date: March 17, 2014