

**Minutes of Regular City Council Meeting  
held Monday, August 3, 2015, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida.**



**CALL TO ORDER:**

Mayor Charlie Latham called the meeting to order at 7:00 P.M.

**OPENING CEREMONIES:**

The invocation was given by Council Member Buck; followed by the Salute to the Flag.

**ROLL CALL:**

Mayor: William C. Latham

Council Members: Lee Buck                      Keith Doherty                      Christine Hoffman  
                         Bruce Thomason                      Phil Vogelsang                      Jeanell Wilson

Also present was City Manager George Forbes, and City Clerk Laurie Scott.

**APPROVAL OF MINUTES**

It was moved by Ms. Wilson, seconded by Ms. Hoffman and passed unanimously, to approve the following minutes as presented:

- Regular City Council Meeting held July 20, 2015

**ANNOUNCEMENTS**

Council Member Vogelsang

- He announced that he attended the Office Depot Foundation Backpack Giveaway held at the Jacksonville Beach location on July 30, 2015.

Council Member Hoffman

- She announced the Nonprofit Center of Northeast Florida would hold a Summer Networking Social on August 5, 2015, from 5:00-7:00 P.M. at the Beaches Museum and History Park.

Council Member Doherty

- He wanted to alert Jacksonville Beach's citizens of scam artists that were targeting Beaches Energy Services customers.

Council Member Buck

- He recognized the Beaches community for their contributions, and along with their donations, enabled Dial-A-Ride to be able to purchase a new vehicle.

Mayor Latham

- He announced BEAM (Beaches Emergency Assistance Ministry) will hold its annual Back To School with BEAM event at the Beaches United Methodist Church on August 15, 2015, from 8:00 A.M. to noon.
- He announced the 40<sup>th</sup> year anniversary of the Dial-A-Ride program. He challenged the cities of Atlantic Beach and Neptune Beach to meet the City of Jacksonville Beach's donation to the Dial-A-Ride program.

**COURTESY OF THE FLOOR TO VISITORS:**

**Speakers:**

- Deb Naples, 805 18<sup>th</sup> Street North, Jacksonville Beach.  
She discussed her concerns about the right to privacy for citizens, documents collected as part of a hearing becoming a public record, and the opportunity to review case information prior to the Code Enforcement hearing.

**MAYOR AND CITY COUNCIL:**

- (a) Mayor Latham presented Employee of the Quarter Awards. The following employees received awards:

Randy L. Greene (Police Department)	Catherine Rogers (Fire Department)
Nancy Pyatte (City Clerk's Office)	David McDonald (Public Works)

- (b) Mayor Latham presented Letters of Recognition for an Outstanding North American Electric Reliability Corporation (NERC) Audit Result as recommended by Allen Putnam, Director of Beaches Energy Services. The following employees received Letters of Recognition:

Kevin Stewart	Steve Lancaster
Don Cuevas	Jamison Parker (absent)
Matt Campbell	

- (c) Mayor Latham announced the presentation by Louie Herrera on the Harm to Wildlife and Environment Caused by Plastic Bags and Trash on the Beach.

Mayor Latham called for a short recess at 7:30 P.M.

The meeting reconvened at 7:33 P.M.

A discussion ensued about tabling the item in support of holding a workshop to allow both sides of the issue the opportunity to present their concerns and recommendations.

Mayor Latham withdrew Item (c) [presentation by Louie Herrera on the Harm to Wildlife and Environment Caused by Plastic Bags and Trash on the Beach] from the agenda. A workshop will be scheduled to allow both sides of the issue the opportunity to view their concerns and discuss any recommendations. At that time, the Council, as a group will make a decision on how next to proceed.

**CITY CLERK:**

**CITY MANAGER:**

- (a) **Approve the Purchase of an Uninterruptible Power Supply (UPS) from Power Systems Engineering, for Beaches Energy Services SCADA System Operations in the Amount of \$28,435**

**Motion:** It was moved by Ms. Wilson, seconded by Ms. Hoffman to approve the purchase of an APC MGE Galaxy 3500 (30kVA/23kW) from Power Systems Engineering, for Beaches Energy Services SCADA Systems Operations, in the amount of \$28,435, as described in the memorandum from the Director of Beaches Energy Services dated July 17, 2015.

Mr. Forbes explained that in the event of a loss of power, SCADA operations are interrupted until backup generation (onsite generator) is established. The time it takes for this to occur is between seven (7) and twenty (20) seconds. This period is long enough to cause the SCADA system to have to reboot. During this time, we would lose the ability to operate the transmission and distribution remotely and may experience a loss of data. An Uninterruptible Power Supply (UPS) system prevents this from occurring and will allow the SCADA system to continue operations in the event of a power outage to Systems Operations. Additionally, the UPS system can buy time to allow the repair of backup generation should it fail.

Mr. Putman further explained that the battery backup system would allow us 92 minutes, at full load, if our generator were to work, allowing us time to contact Ring Power or a contractor.

**Roll call vote:** Ayes – Buck, Doherty, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham; motion carried unanimously.

**RESOLUTIONS:**

**ORDINANCES:**

**ORDINANCE NO. 2015-8063** (First Reading)

Mayor Latham requested that the City Clerk read, ORDINANCE NO. 2015-8063, First Reading, by title only; whereupon Ms. Scott read the following:

**AN ORDINANCE AMENDING CHAPTER 5, "ANIMALS," OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, BY CREATING ARTICLE II, DIVISION I, "COMMERCIAL ANIMAL ESTABLISHMENTS," BY CREATING SECTION 5-35, TO BE ENTITLED "REQUIREMENTS FOR SALES OF DOGS AND CATS;" PROVIDING FOR DEFINITIONS; PROVIDING FOR PERMITTED SOURCES; PROVIDING FOR CERTIFICATE OF SOURCE; AND PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**Motion:** It was moved by Ms. Wilson, seconded by Ms. Hoffman to adopt Ordinance No. 2015-8063 entitled "Requirements for the Sales of Dogs and Cats."

**Speakers:**

- Sandy Golding, 1203 18<sup>th</sup> Avenue North, Jacksonville Beach.  
She spoke in favor of the Ordinance.
- Stacey Cummings, 1207 18<sup>th</sup> Avenue North, Jacksonville Beach.  
She spoke in favor of the Ordinance.

Mr. Forbes explained Ordinance (Section 5-35) regulates the retail sale of puppies and kittens in the City and requires proper documentation from retailers ensuring the origin of puppies and kittens for sale. The documentation requires that the puppies or kittens for sale are from either an animal rescue organization or a public animal shelter. He further explained the Ordinance did not prohibit Jacksonville Beach dog owners from selling their own dogs [puppies] from their homes.

Ms. Wilson spoke in favor of the Ordinance in concept, but expressed concern that the language requiring the dog or cat to come from either an animal rescue organization or a public animal shelter was too restrictive for a business to be able to comply with.

Mr. Vogelsang proposed an amendment to the Ordinance stating that a new section (d) would be added to read "This section shall not apply to an animal shelter or animal rescue organization that operates out of or in connection with a pet store." Pet stores would not be required to go through the certification process for animal shelters or animal rescue organizations to display their pets for adoption in their stores.

**Amended Motion:** It was moved by Mr. Vogelsang, seconded by Ms. Hoffman to add new section (d) to read “This section shall not apply to an animal shelter or animal rescue organization that operates out of or in connection with a pet store.”

Mr. Forbes stated for the record Mr. Vogelsang is replacing the current section (d) with the (d) he has amended and the current section (d) will become (e), the current section (e) becomes (f), and the current section (f) becomes (g).

Ms. Hoffman stated she supported the amendment to the Ordinance.

**Roll call vote:** Ayes – Doherty, Hoffman, Thomason, Vogelsang, Wilson, Buck and  
**[Amended motion]** Mayor Latham; motion carried unanimously.

Mr. Doherty stated he supported the amendment to Ordinance.

Mr. Thomason recognized Chief Dooley and Commander Evans for their efforts in preparing the Ordinance. He also pointed out a scrivener’s error and proposed a second amendment to the Ordinance to make the correction.

**2nd Amended Motion:** It was moved by Mr. Thomason, seconded by Ms. Hoffman to amend the new subsection (e) by striking out the “,” and “or rabbits” and inserting the word “or” before the word “cats”.

**Roll call vote:** Ayes – Hoffman, Thomason, Vogelsang, Wilson, Buck, Doherty and  
**[2<sup>nd</sup> amended motion]** Mayor Latham; motion carried unanimously.

A discussion ensued considering removing the language that requires the pet store to only obtain dogs and cats from animal rescue organizations or public animal shelters.

**Roll call vote:** Ayes – Thomason, Vogelsang, Wilson, Buck, Doherty, Hoffman and  
**[Main Motion]** Mayor Latham; motion carried unanimously.

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**ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:33 P.M.

Submitted by: Laurie Scott  
City Clerk

Approval:

/s/ William C Latham  
William C. Latham, MAYOR

August 17, 2015  
Date