

**Minutes of Regular City Council Meeting
held Tuesday, September 6, 2011, at 7:00 P.M.
In the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida.**



CALL TO ORDER:

Mayor Fland Sharp called the meeting to order.

OPENING CEREMONIES:

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

ROLL CALL:

Mayor: Fland Sharp

Council Members: Lee Buck Penny Christian Rick Knight
Steve Hartkemeyer Jeanell Wilson Tom Taylor

Also present was City Manager George Forbes and Acting City Clerk Judy L. Bullock.

APPROVAL OF MINUTES:

It was moved by Ms. Christian, seconded by Mr. Buck, and passed, to approve the following minutes, as presented:

City Council FY 2012 Budget Workshop held August 2, 2011
City Council FY 2012 Budget Workshop held August 8, 2011
City Council FY 2012 Budget Workshop held August 9, 2011
Regular City Council Meeting held August 15, 2011.

ANNOUNCEMENTS:

COURTESY OF THE FLOOR TO VISITORS:

MAYOR AND CITY COUNCIL:

- (a) Employee of the Quarter Award - 2nd Quarter – Rhonda Street, Finance Department.

Mayor Sharp presented Ms. Street with the award and expressed appreciation for her outstanding performance.

CITY MANAGER:

- (a) Approve Employee Insurance Benefits and Third Party Administration for Calendar Year 2012.

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Motion: It was moved by Ms. Christian, seconded by Mr. Buck, to approve the contracts with Cigna and Medcom, as outlined in the memorandum dated August 23, 2011, from Karen Nelson, Human Resources Director, and titled "Employee Insurance Benefits and Third Party Administration for Calendar Year 2012.

Roll call vote: Ayes – Buck, Christian, Hartkemeyer, Knight, Taylor, Wilson and Mayor Sharp; motion carried unanimously.

(b) Approve the Purchase of Handguns and Related Equipment for the Police Department from the Equitable Sharing Fund.

Motion (1): It was moved by Ms. Christian, seconded by Mr. Buck, to approve a draw of \$15,090.95 from the federal Equitable Sharing Fund for the purchase of new Gen4 Glock 21 handguns and magazines (*GT Distributors, Inc.*);

Roll call vote: Ayes – Christian, Hartkemeyer, Knight, Taylor, Wilson, Buck, and Mayor Sharp; motion carried unanimously.

Motion (2): It was moved by Ms. Christian, seconded by Mr. Buck, to declare current Glock 21 handguns as surplus and authorize their trade-in for \$325.00 each to *GT Distributors, Inc.*

Mr. Forbes explained that the handguns to be replaced have performed very well; however, they are nine years old. He added that the new Generation 4 Glock has upgrades unavailable on the current weapons, such as the ability to change the size of the grip to fit individual hand sizes.

Roll call vote: Ayes – Hartkemeyer, Knight, Taylor, Wilson, Buck, Christian, and Mayor Sharp; motion carried unanimously.

(c) Approve the Purchase of a Replacement Animal Control Vehicle

Motion: It was moved by Ms. Christian, seconded by Mr. Buck, to approve the purchase of a replacement animal control vehicle, as detailed in an August 26, 2011, memorandum from the Police Chief entitled, "Purchase Replacement Animal Control Vehicle".

Speaker: Sandy Golding, 1203 North 18th Avenue, Jacksonville Beach, voiced her concerns regarding temperature and ventilation where animals are placed for transport in the vehicle. She advised that she had looked into the issue and found, as long as the utility doors remain open on the topper, there shouldn't be a problem. Ms. Golding added that the utility doors should be removed from the topper, instead of just opened.

Ms. Wilson inquired about the possibility of utilizing an older vehicle, due to the damage from the salt water that the truck is exposed to daily. She also asked about the condition of the topper on the current truck.

Mr. Forbes explained that the council requested that the City do a better job of animal control on the beach and to accomplish this goal, proper equipment is required. He added that the vehicles exposed to salt water and sand last approximately five years, and, as a result, they are looking into a high-quality undercoating for these vehicles. The topper remains in good condition as it is made of aluminum. He commented that the City has an outstanding animal control officer that truly loves animals and she will ensure that the transport area is properly ventilated.

Roll call vote: Ayes – Knight, Taylor, Wilson, Buck, Christian, Hartkemeyer, and Mayor Sharp; motion carried unanimously.

ORDINANCES

(a) Ordinance No. 2011-8002 – First Reading

Mayor Sharp requested that the Acting City Clerk read Ordinance No. 2011-8002, on its first reading, by title; whereupon Ms. Bullock read the following:

**AN ORDINANCE TO REPEAL CITY ORDINANCES REGULATING FIREARMS AND AMMUNITION BY AMENDING SECTION 2-191; “DEFINITIONS”; OF CHAPTER 2; “ADMINISTRATION”; ARTICLE VII; “CIVIL EMERGENCIES”; AMENDING SECTION 5-2; “SAME-HUNTING, SHOOTING, ETC., PROHIBITED; WHEN BIRDS DEEMED NUISANCE; MANNER OF DESTROYING”; OF CHAPTER 5; “ANIMALS AND FOWL”; ARTICLE 1; “IN GENERAL”; AMENDING SECTION 16-11; “REGULATION OF FIREWORKS”; OF CHAPTER 16; “MISCELLANEOUS OFFENSES AND PROVISIONS”; ARTICLE 1; “IN GENERAL”; DECLARING NULL AND VOID IN THEIR ENTIRETY SECTION 16-3; “DISCHARGING FIREARMS; USE OF DANGEROUS WEAPONS”; AND SECTION 16-3.1; “OPERATION OF OUTDOOR SHOOTING RANGES”; OF CHAPTER 16; MISCELLANEOUS OFFENSES AND PROVISIONS”; ARTICLE 1; “IN GENERAL”; OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE
(As required by state law, this ordinance will repeal city ordinances regulating firearms and ammunition)**

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Motion: It was moved by Ms. Christian, seconded by Mr. Buck, to adopt Ordinance No. 2011-8002, on its first reading, as read by title, that amends Chapters 2, 5, & 16 of the Code of Ordinances Rescinding All Regulations of Firearms.

Mr. Forbes explained that the state legislature passed a law removing authority for any entity other than state or federal governments to regulate firearms and ammunition. Failure to comply by rescinding local all ordinances prior to October 1, 2011, can subject the city, its employees, and elected officials to substantial fines.

Roll call vote: Ayes – Taylor, Wilson, Buck, Christian, Hartkemeyer, Knight, and Mayor Sharp; motion carried unanimously.

(b) **Ordinance No. 2011-8001 – Second Reading**

Mayor Sharp requested that Acting City Clerk read Ordinance No. 2011-8001, on its second reading, by title; whereupon Ms. Bullock read the following:

“AN ORDINANCE TO AMEND PLANNED UNIT DEVELOPMENT ORDINANCE NO.S 2004-7873 AND 2005-7907, SUPPLEMENTING THE COMPREHENSIVE ZONING REGULATIONS AND ZONING ATLAS FOR THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY”

(This Amendment is for the Baptist Medical Center-Beaches)

Motion to Amend Ordinance: It was moved by Ms. Christian, seconded by Mr. Buck, In addition to the maximum 182-bed hospital and ancillary use facility approved via Ordinance No 2004-7873 for Parcel A, this PUD amendment shall also permit a total of 122,000 s.f. gross building area of medical and allied professional office space within Parcel A, and a total of 12,000 s.f. gross of medical and allied professional office space within Parcel B, and shall permit Parcels A and B, in the aggregate, to be developed or redeveloped for up to 134,000 s.f. gross building area of medical and allied professional office space, in addition to an approved 182-bed hospital and ancillary use facility, without s.f. limit as to each parcel, subject to any necessary amendment to the approved preliminary PUD development plan. Parcel C shall be permitted a maximum of 28,000 s.f. gross building area of medical and allied professional office space.

Roll call vote: Ayes – Wilson, Buck, Christian, Hartkemeyer, Knight, Taylor, and Mayor Sharp; motion carried unanimously.

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Motion to Adopt: It was moved by Ms. Christian, seconded by Mr. Buck, to adopt Ordinance No. 2011-8001, as amended, amending the PUD ordinances governing the *Baptist Medical Center – Beaches* by consolidating the three hospital owned properties and by incorporating a master signage plan.

Roll call vote: Ayes – Buck, Christian, Hartkemeyer, Knight, Taylor, Wilson, and Mayor Sharp; motion carried unanimously.

ADJOURNMENT

There being no further business coming before the Council, Mayor Sharp adjourned the meeting at 7:29 p.m.

Submitted by: Judy L. Bullock
Acting City Clerk

Approval:

/s/Fland O. Sharp
Fland O. Sharp, Mayor

Date: September 19, 2011