

MINUTES OF THE REGULAR CITY COMMISSION MEETING OF THE City of St. Augustine Beach, Florida, held on Monday, June 3, 2013 in the Commission Chamber of City Hall, 2200 A1A South, St. Augustine Beach, Florida.

CALL TO ORDER

The meeting was called to order by Mayor Snodgrass at 7:05 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Commissioner Andrea Samuels, Commissioner Brud Helhoski, Mayor S. Gary Snodgrass, Vice Mayor Rich O'Brien.

Absent: Commissioner Undine Pawlowski. (Note: An email was received from Commissioner Pawlowski explaining she had missed an earlier flight and would not be able to attend the meeting.)

Also present: City Manager Max Royle, Police Chief Robert Hardwick, City Attorney Doug Burnett, Finance Director Melissa Burns, Public Works Director Joe Howell, Building Official Gary Larson, and Deputy City Clerk Cathy Benson.

APPROVAL OF MINUTES OF THE REGULAR CITY COMMISSION MEETING OF MAY 6, 2013

Motion: approve the minutes of the May 6, 2013 minutes as submitted., **Moved by** Commissioner Andrea Samuels, **Seconded by** Vice Mayor Rich O'Brien.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Commissioner Andrea Samuels, Commissioner Brud Helhoski, Mayor S. Gary Snodgrass, Vice Mayor Rich O'Brien.

ADDITIONS OR DELETIONS OF THE AGENDA

The Mayor agreed to a request from Ann Palmquist to delay agenda item #9 regarding the Tree Board/Beautification Advisory Committee because she is out of town. The item will be continued to the next City Commission meeting. The Mayor added agenda item #12 regarding Pope Road parking and a Consent Agenda item; approval to engage Comcast to provide equipment for the TV channel for approximately \$6,000.

The City Manager announced Greg Crum's resignation from the Comprehensive Planning and Zoning Board. The Board will elect a new chair and vice chair at their next meeting.

CHANGES TO ORDER OF TOPICS ON THE AGENDA - None

PRESENTATIONS

- A. Plaque to Mr. Troy Jones, Public Works Streets Foreman, for 20 Years of Employment with the City

Mayor Snodgrass presented the plaque to Mr. Jones and thanked him for his years of service.

B. Acknowledgement and Thanks by Chief Hardwick for Donation by County of Money for the Polaris Ranger for Beach Patrol

Chief Hardwick requested this item be postponed to the July meeting.

C. 2nd Avenue/10th Street Drainage Project:

1) Overview of the Project by Mr. Joe Howell, Public Works Director

Mr. Howell reviewed the timeline of the project from its initial proposal in 1996, its inclusion in the Drainage Master Plan, and its inclusion in a St Johns River Water Management District Drainage Permit. Over the years it had been mentioned favorably in regard to numerous neighboring projects.

2) Public Comment Regarding the Project

Ed George, 10th Street, said the ditch was an ecosystem and its removal would damage the character of the community. He said the previous Commission expected the drainage project would only happen in conjunction with the proposed Marriott Hotel project.

Ed Slavin, St. Augustine, was opposed because he feared negative environmental impact.

Bill Evans, 208 10th Street, said he did not oppose the project, but when it is done, there should be meetings to address safety, parking, etc. during construction. Will there be a person present to take action in the event an accident happens on the site or when someone on the street has an emergency and can't get out? What about liability for damage to private property?

Jim Sutherland, 50 Ocean Woods, said there was a ditch behind his property and the water did not flow well.

Mr. Royle said the City received only one letter and it was in favor of the project. The Marriott permit is expiring in one or two months and it does not appear that project will be built any time soon. Future projects on the property could be required to pay for a portion of the drainage project.

Mr. Howell explained that accommodations for parking and traffic flow within the construction area are normally addressed with the contractor in preconstruction meetings. He would expect to inform the neighborhood of how they would be impacted and that driveways would be open during non-construction hours.

Commissioner Helhoski said he expected the project to be done only at the time of the Marriott construction project.

3) Consideration of:

- Award of Bid to S.E. Cline
- Approval of Change Order #1
- Approval Budget Resolution 13-08, to Amend the FY 13 Road/Bridge Fund Budget to Appropriate Money for the Project

Motion: to move forward with the project, award the bid to S.E. Cline, approve Change Order #1, and approve Budget Resolution 13-08, **Moved by** Mayor S. Gary Snodgrass, **Seconded by** Vice Mayor Rich O'Brien.

Vote: Motion passed (**summary:** Yes = 3, No = 1, Abstain = 0).

Yes: Commissioner Andrea Samuels, Mayor S. Gary Snodgrass, Vice Mayor Rich O'Brien.

No: Commissioner Brud Helhoski.

Nicolai LeDomne, 16th Street, said he had erosion problems from the ditch by his house and wondered is the City could help. Mr. Howell said he was aware of the problem and had discussed it with him. He will review the situation and report to the Commission.

PUBLIC COMMENTS

Bob Kahler, 29 Sunfish Drive, said some City employees were paid very low salaries. He suggested one time raises of 10% for all employees earning below \$30,000.

Dr. Pat Gill, 218 B Street, asked the City Commission to pursue a grant to purchase the Maratea property.

Ed Slavin, PO Box 3084, St. Augustine, said the Visitors and Convention Bureau was missing opportunities to help with diverse visitors and not advertising in key areas. He also objected to their advertising designs.

Steve Mitherz, 17 Sea Oaks Drive, asked if the County had responded to the City's letter regarding garbage fees, and if the County had responded to the request for restriping A Street.

Mayor Snodgrass said the City was currently conducting a wage and benefit survey and he will report at the July meeting.

City Manager Royle said the Maratea property appears to have been sold and a concept review is expected to be presented in July to the Planning Board. City Attorney Burnett said the County had not yet responded on the garbage issue. Mr. Royle had no response from the County on the restriping request.

[The City Commission recessed at 8:30 p.m. and reconvened at 8:39 p.m.]

PUBLIC HEARINGS

1. Ordinance 13-07, Public Hearing and Final Reading: to Prohibit Pets and Other Activities at Splash Park

Ordinance 13-07 was read by title only by the City Attorney.

ORDINANCE 13-07

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH RELATING TO PART II, CHAPTER V, ARTICLE I, SECTION 5-4 OF THE CODE OF THE CITY OF ST. AUGUSTINE BEACH; RESTATING AND AMENDING SECTION 5-4, COUNTY OCEAN PIER WITHIN THE CITY TO INCLUDE REGULATION OF PIER SPLASH PARK; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Samuels noted the Ordinance prohibits camping. City Attorney Burnett explained that much of the language is from the current code and it could be amended later.

Motion: to adopt Ordinance 13-07 on second reading., **Moved by** Mayor S. Gary Snodgrass, **Seconded by** Commissioner Andrea Samuels.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Commissioner Andrea Samuels, Commissioner Brud Helhoski, Mayor S. Gary Snodgrass, Vice Mayor Rich O'Brien.

CONSENT

2. Budget Resolution:13-09, to Amend the FY 13 General Fund Budget to Transfer and Appropriate Money between Accounts in the Police Department for Various Purposes

- 2a Approval to Engage Comcast to Provide Replacement Equipment for the City TV Channel at a Cost of Approximately \$6,000.

Motion: to approve Consent agenda items 2 and 2a., **Moved by** Vice Mayor Rich O'Brien, **Seconded by** Commissioner Andrea Samuels.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Commissioner Andrea Samuels, Commissioner Brud Helhoski, Mayor S. Gary Snodgrass, Vice Mayor Rich O'Brien.

OLD BUSINESS

3. Former Building Department Office: Discussion of the Art Studio Group's Plans to Renovate

Paul Slava explained the Art Studio Group's application to the IRS for 501-C-3 status was still in their backlog and he was working on expediting it. However, the Studio's funds may soon be sufficient to do the project without delay.

Motion: to extend the Art Studio Group's agreement to renovate the building by six months., **Moved by** Commissioner Andrea Samuels, **Seconded by** Vice Mayor Rich O'Brien.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Commissioner Andrea Samuels, Commissioner Brud Helhoski, Mayor S. Gary Snodgrass, Vice Mayor Rich O'Brien.

4. Charter Review Committee:

- A. Appointment by Mayor and Commissioners of Their Individual Selections to be on the Committee

Commissioner Pawlowski had emailed her selection of Len Weeks.

Commissioner Samuels selected Ron Brown.

Commissioner Helhoski selected Ed George.

Vice Mayor O'Brien selected Nicholas Binder.

Mayor Snodgrass selected Henry Dean.

- B. Other Matters Concerning the Committee and Review of the Charter

No further action was taken.

5. Determining Building Height and Review of Proposed Changes to the Overlay District Regulations: Continuation of Discussion.

Building Official Larson said he rewrote the old ordinance. He reviewed additional recommendations from two local architects.

Dr. Gill said that measuring the wave crest height varied with environmental and weather conditions. She also felt pool screening should be allowed to encroach into easements.

Motion: to approve Ordinance 13-08., **Moved by** Mayor S. Gary Snodgrass, **Seconded by** Commissioner Brud Helhoski.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Commissioner Andrea Samuels, Commissioner Brud Helhoski, Mayor S. Gary Snodgrass, Vice Mayor Rich O'Brien.

NEW BUSINESS

6. Allowing Golf Carts on City Streets: Request by Commissioner Helhoski to Discuss

Commissioner Helhoski noted other cities have provisions to allow golf carts that are licensed to travel on public streets that have posted speed limits under 35 miles per hour. Chief Hardwick had no objection. It was the consensus of the City Commission to proceed with an ordinance to allow golf carts registered with the City.

7. Regulations Regarding Offering Vehicles for Sale on Private Property: Request by Commissioner Helhoski to Discuss

Commission Helhoski said City Ordinance requires a permit to sell your own vehicle on your property. He felt if the vehicle is licensed and registered to the property owner, he should be able to sell on his property without a permit.

Bob Samuels said a person could sell his car on his property every month. We don't want used car lots here, so a free permit is not too much to ask in order to keep track of what is being offered for sale in residential communities.

City Manager Royle will research other cities' regulations and report back.

8. Review of Long Range Financial Report

Mayor Snodgrass asked how Ms. Burns made projections on property values. She responded that she watched sales prices and economic indicators, increase in building permits, and input from other Florida government agencies. The Commission accepted the Financial Report.

9. Tree Board/Beautification Advisory Committee: Recommendation from Board/Committee for Adoption of Guidelines for Writing of Articles and News Releases – postponed to next meeting

10. Social Media and Internet Policies/Procedures: Request by Commissioner Samuels to Discuss

Commissioner Samuels urged creation of policies regarding social media records retention and public comments. She questioned the implications of using personal devices at work. She suggested there might be a need to educate employees and board members on the Sunshine Law and records management. The Commission agreed that Commissioner Samuels should move forward on the matter.

11. Defacing of Public Property: Request by Commissioner Samuels to Discuss

Commissioner Samuels reported the City of St. Augustine was establishing a policy to address defacing public property and she felt we should as well. Chief Hardwick said "no loitering" signs are being made and patrols are increased with bike patrols to begin next week. He will research the state statutes and report back. Mr. Royle will follow up with the St. Augustine City Manager.

12. Pope Road Parking – Mayor Snodgrass said he wanted the parking area safely reopened with as many parking spaces as possible. The County was prepared to consider a joint agreement to safely reopen the lot. The cost would be shared between the County and the City. The Commissioners agreed it would be the best approach for the lot.

Bill Rosenstock, 57 White Ct, agreed there was a safety problem there, but urged the City to reopen the lot immediately to allow additional parking for the summer.

Bob Samuels, 110 Mickler Blvd., noted the Tourist Development Counsel received 1/3 of its funding from our City and he felt they should give a portion of this cost.

Motion: to partner with the County to design and build the Pope Road parking lot, and to share equally in the cost, **Moved by** Mayor S. Gary Snodgrass, **Seconded by** Vice Mayor Rich O'Brien.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4).

Yes: Commissioner Andrea Samuels, Commissioner Brud Helhoski, Mayor S. Gary Snodgrass, Vice Mayor Rich O'Brien.

COMMISSIONER COMMENTS

Commissioner Samuels – The Tourist Development Council met in April. The Cultural Council Board will provide a schedule for maintenance of their building. A resident asked her to look at his road and she found it needed work. The City needs to look at road maintenance. She attended the Denver conference of the National League of Cities Trustees and learned about issues with insurance, workers compensation and social media. She talked with Wil Smith from the County about grants to buy coastal properties. The Commission approved her request to continue working with him on potential purchases. The window for obtaining the buses has closed and it is unfortunate we lost that opportunity. The Commission supported her suggestion for a grand opening for Splash Park. The Commission approved her request to explore a possible satellite office for the Council On Aging in the Cultural Council building (former City Hall).

Commissioner Helhoski – Regarding the sink hole on 5th Avenue, Mr. Howell said repairs will likely be done in one week. Commissioner Helhoski remarked about a resident whose driveway was cracked by a contractor performing work for the City and sod was installed that was full of dollar weed. We want to be aware of these items for our next project. The City Manager had no answer from the County yet from our request for repairs. Commissioner Helhoski asked if our old patrol cars could be donated to tornado damaged areas in Oklahoma and Chief Hardwick said our vehicles are usually in need of extensive repairs and unsuitable for donation.

Vice Mayor O'Brien – Attended the Visitors and Convention Bureau meeting and learned we are nonvoting members. Visitor numbers are improving. We need to work to protect our dunes with sand fencing, planting sea oats, etc. He asked if we could work with an organization to be proactive with rebuilding the dunes in the A Street area and Ocean Trace. He noted that he recently drove on the beach and when he paid cash for a beach pass they would not give him a receipt. He felt that could be a problem. He felt beach parking should not be the sole responsibility of the City. The County needs to help with funding for development and maintenance of parking throughout the County.

Mayor Snodgrass – Asked that at the July meeting, each Commissioner update the status of their assigned objectives from last year's strategic planning session. He was working on a pay and benefit study, and on the performance appraisal process. Commissioner O'Brien asked about the County's comments regarding communications. Mayor Snodgrass said we need to be sure we are on the same page and speak with one voice. We should use the City Manager to communicate with the County Manager. Commissioner Samuels said a City Commissioner should attend the County Commission meetings.

City Manager Royle – Thanked the Civic Association for their donation to have the carpet cleaning in the Commission Chamber of City Hall.

Public Works Director Howell – Met with the County Utility Project Manager and found that while the warranty period had expired on the projects at Sandpiper and Versaggi, the County recognizes their responsibility.

Police Chief Hardwick – Reported that former St. Augustine Beach Officer Tiller will receive a Congressional Medal for Bravery on July 1 and asked to meet at 6:00 p.m. for the presentation before the City Commission meeting. His analysis of the Police Department will be presented at the next City Commission meeting. He will provide the report soon. He expected to receive soon the final declaration dissolving the Police union. He is working with Ms. Burns on the budget and praised her as a huge asset to the City.

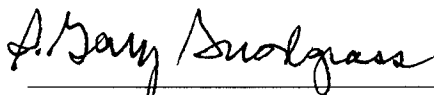
ADJOURNMENT

There being no further business to come before the City Commission, the meeting adjourned at 10:28 p.m.

ATTEST:



City Manager



Mayor – Commissioner

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDINGS WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE VIDEO CAN BE FOUND AT WWW.STAUGBCH.COM, OR BY CONTACTING THE OFFICE OF THE CITY MANAGER.)