

MINUTES OF THE REGULAR CITY COMMISSION MEETING of the City of St. Augustine Beach, Florida, held on Monday, May 6, 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 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Roll Call.

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

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

APPROVAL OF MINUTES OF THE REGULAR CITY COMMISSION
MEETING OF APRIL 1, 2013

Motion: to approve the minutes of April 1, 2013, Moved by Commissioner Andrea Samuels, Seconded by Commissioner Brud Helhoski.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

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

ADDITIONS OR DELETIONS OF THE AGENDA

Mr. Royle provided a revised draft of Ordinance 13-05.

CHANGES TO ORDER OF TOPICS ON THE AGENDA - None

PRESENTATIONS

- A. City's Part-Time Events Coordinator: Introduction of Mr. Michael Cunningham

Mr. Cunningham reviewed his activities to date and said he would provide updates monthly and would have office hours on Monday, Wednesday, and Friday. He asked permission to post links to local events to the City website. The Commission agreed that the website would have one link to a separate events website which Mr. Cunningham would administer. The City website would have a calendar of City meetings and events, while the events website could calendar other local events and offer links to them. They asked Mr. Cunningham to check

with City Attorney for appropriate disclaimers and public record notices on the websites. The Commission approved his request to be named as administrator on the Beach Blast Off Facebook page, and to establish a Constant Contact account to build a data base of interested parties. The Commission also granted permission to post links for 501-C-3 organizations on the City website. Mr. Cunningham said the events website should be operating by the end of next week.

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

Postponed to June 3 meeting.

- C. Off-Beach Parking/Access Study: Discussion with Mr. Matt Lahti, of Zev Cohen & Associates, and Mr. Billy Zeits, County Beach Operations Manager, on the Ranking of Parking Areas

Mr. Lahti explained that the study only covered property already owned by the County or the City. "A" sites were prime for development at minimal cost and three were selected. "B" sites were potential to add parking at Pier Park and Versaggi Drive. "C" sites could make it more pedestrian friendly to walk or bike to the beach.

Fourteen area residents spoke in opposition to adding parking at Versaggi Drive, citing speeding, overcrowding, and safety concerns. They also asked when the City would build a beach walk-over at the end of the street.

Mayor Snodgrass pointed out that this was just a study of parking options throughout the City, not plans for construction. The Commission agreed that the Versaggi location would not be appropriate for a parking lot. Mayor Snodgrass asked the City Manager to report on options and costs for a beach walkover at Versaggi and suggested a City/Community partnership might be considered.

St. Johns County Commissioner Rachel Bennett, 920 Saltwater Circle, reported on the beach access at Pope Road. She asked the City Commission if they want the County to continue with permitting for the parking lot. They have a funding source for 50% of the cost of reconstruction of the parking lot. She explained they cannot remove the barricades because it was still a construction site for the traffic signal and the access is unsafe. She said Florida Department of Environmental Protection required a permit and upgrades before the lot can be opened. It was the consensus of the Commission to proceed with permitting.

Bill Rosenstock, 57 White Court, said he received an email from the Florida Department Of Transportation stating that the current owner of the land was able to open the parking lot in its current condition. He claimed the property was owned by US Military.

D. Northeast Florida Regional Council's Strategic Policy Plan: Resolution 13-03, to Support Updating of the Plan

Motion: to adopt Resolution 13-03, Moved by Commissioner Undine Pawlowski, Seconded by Commissioner Andrea Samuels.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

Yes: Commissioner Andrea Samuels, Commissioner Brud Helhoski, Commissioner Undine Pawlowski, Mayor S. Gary Snodgrass, Vice Mayor Rich O'Brien. [Later corrected to read Resolution 13-04]

E. Fiscal Year 2012 Budget: Review of Audit Report

Ron Whitesides, of Purvis, Gray and Company, reviewed the audit report. The auditors' opinion was unqualified. No problems were found and the City was in a good financial position with healthy savings. Internal control recommendations are being implemented.

Vice Mayor O'Brien asked about unrestricted balance amounts as compared to other coastal cities. Mr. Whitesides said the standard was two months, but he felt coastal cities should have a bit more in reserve.

Motion: to accept the audit, Moved by Commissioner Andrea Samuels, Seconded by Commissioner Undine Pawlowski.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

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

F. North Florida Transportation Planning Organization: Presentation of Five-Year Transportation Improvement Program

Wanda Forrest reviewed the program. State Roads 312 and 206 were planned for improvements. State Road A1A south of 312 will have cameras and remote controllers for traffic signals. Approximate \$166 million of improvements were planned for St. Johns County with funds coming mostly from Federal and State agencies.

G. Red Light Cameras: Presentation of Study

Police Chief Hardwick said there were 2-3 crashes a month at some of the subject intersections. The ornamental grass at Seagrove is so tall it blocks surveillance and traffic control. In some areas average speeds reach 60 mph in a 45 mph zone. Angie Langley, American Traffic Solutions, reviewed her traffic study.

Ed Slavin, St. Augustine, asked if there was competitive bidding for the system. He felt it would create negative public relations and an opportunity for corruption.

Bob Kahler, said we should have competitive quotes.

Commissioner Helhoski agreed that the cameras were a bad idea for this City. Vice Mayor O'Brien wanted more information and time to talk with the public about the idea. Commissioner Samuels said the number of accidents at these intersections was too high and asked for more information. Commissioner Pawlowski said Chief Hardwick had looked into multiple providers and found the costs were standard. She supported it as a good idea to help safety. Mayor Snodgrass asked for more information on the issues raised.

[The meeting was recessed at 9:28 p.m. and reconvened at 9:36 p.m.]

PUBLIC COMMENTS

Bruce Wright, 15th Street, said the City TV channel is off the air. The meeting will be broadcast on the Internet and rebroadcast on the TV channel when it is back on air.

Bob Kahler, 29 Sunfish Drive, expressed concerns about County Commissioner Bennett and a possible conflict of interest. He supported prayer in schools and freedom of speech.

Dr. Patricia Gill, 218 B Street, said the Maratea property was not sold and she hoped to get the matching funds to buy the property. She thought the end of Pope Road was owned by the City and asked about the previous title search.

Steve Mitherz asked why two trailers continued to be stored on the beachfront property; have the Salt Life drainage issues been resolved; and can the City have A Street re-striped.

Ed Slavin, St. Augustine, suggested a policy on ethics and review of election procedures could be included in the City Charter review process.

Ann Palmquist, 213 10th Street, thanked the City Commission for listening to the people in the Versaggi area. She hoped the people's voice would be considered in the City Charter review and a safety person would be included.

Mike Boyer, St. Augustine, said that when fishing off the pier he noticed the surfers get too close to the fishing lines for safety.

Mr. Royle said status of the Maratea property was uncertain at this point. The bank holding the mortgage failed and those mortgages are now held by a group in California. We don't know their intentions with the property. Mr. Larson will check on the trailers stored at the beachside property. Mr. Howell said Salt Life was required to put in more drainage and the County issued a permit. Mr. Royle said he sent the street re-striping request to the County. The issues with the TV station was equipment failure and staff was still working on it. City Hall will provide free DVDs of this meeting if asked.

Commissioner Helhoski asked if the City Police could enforce beach rules at the pier. Chief Hardwick will look into it and gather more information.

PUBLIC HEARINGS

1. Ordinance 13-04, Public Hearing and Final Reading: to Vacate Alley in Block 13, Chautauqua Beach Subdivision, between 9th and 10th Streets and A1A Beach Boulevard and 2nd Avenue.

Ordinance 13-04 was read by title only by the City Attorney.

ORDINANCE 13 - 04

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH, FLORIDA RELATING TO STREETS AND PUBLIC RIGHTS-OF WAY; VACATING AND ABANDONING PART OF AN UNNAMED 15 FOOT ALLEY LYING WITHIN BLOCK 13, CHAUTAUQUA BEACH SUBDIVISION, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

AN APPROXIMATELY FOUR HUNDRED (400) FOOT PORTION OF THE UNNAMED ALLEY FIFTEEN (15) FEET IN WIDTH IN BLOCK 13, CHAUTAUQUA BEACH SUBDIVISION, LYING BETWEEN THE NORTH LINE OF THE NORTH ONE-HALF OF LOTS 1, 3, 5, 7, 9, 11, 13 AND 15 OF BLOCK 13, CHAUTAUQUA BEACH SUBDIVISION, AND THE SOUTH LINE OF LOTS 2, 4, 6, 8, 10, 12, 14 AND 16 OF BLOCK 13, CHAUTAUQUA BEACH SUBDIVISION, ALL IN SECTION 34, TOWNSHIP 7, RANGE, 30, AS RECORDED IN MAP BOOK 2, PAGE 5, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

RESERVING OVER SAID VACATED ALLEY AN EASEMENT IN FAVOR OF THE CITY AND THE PUBLIC AND EASEMENT FOR UTILITY AND DRAINAGE PURPOSES; AND PROVIDING AN EFFECTIVE DATE.

Motion: adopt Ordinance 13-04 on second and final reading, Moved by Commissioner Andrea Samuels, Seconded by Vice Mayor Rich O'Brien.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

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

2. Ordinance 13-05, Public Hearing and Final Reading: to Restrict the Location of Wireless Communication Towers

City Attorney Burnett explained that he revised the Ordinance to add language he found in case law.

Ordinance 13-05 was read by title only by the City Attorney.

ORDINANCE NO. 2013-05

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE BEACH RELATING TO APPENDIX A, ARTICLE III OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF ST. AUGUSTINE BEACH; AMENDING SECTION 3.02.03.11 OF THE LAND DEVELOPMENT REGULATIONS TO EXPAND THE REGULATION OF WIRELESS COMMUNICATION TOWERS TO PROTECT A1A BEACH BOULEVARD AND THE BEACHES WITHIN THE CITY OF ST. AUGUSTINE BEACH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion: to approve Ordinance 13-05, **Moved by** Commissioner Andrea Samuels, **Seconded by** Commissioner Brud Helhoski.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

CONSENT

3. Proclamations:

A. to Declare May as Older Americans Month

Motion: approve the Proclamation for Older Americans Month, **Moved by** Commissioner Undine Pawlowski, **Seconded by** Commissioner Andrea Samuels.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

B. to Declare May 19-25, 2013 as National Public Works Week in the City

Motion: to approve the Proclamation for National Public Works Week, **Moved by** Commissioner Andrea Samuels, **Seconded by** Commissioner Brud Helhoski.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

OLD BUSINESS

4. City Charter: Consideration of Provisions for a Resolution Establishing the Charter Review Committee, Guidelines for the Committee and Other Matters Concerning the Charter Review

It was the consensus of the City Commission to accept applications for appointment to the Charter Review Committee until the end of May. At the June 3 meeting, each

Commissioner will appoint one person to the Committee. A special meeting will be held June 17 at 7:00 p.m. for the Commission to interview the remaining applicants and appoint two additional Committee members.

Ed Slavin, St. Augustine, said the County Elections Supervisor told him the City Charter amendments could be on a mail-in only ballot. He felt that method would result in a higher turn-out for the election. He urged caution with Ms. Crotty and asked the Commission to appoint a chair and vice chair for the Committee. He also urged inclusion of building height limits in the City Charter.

Ann Palmquist, 213 10th Street, said a law enforcement or safety officer should speak to the Charter Review Committee regarding including safety provisions in the Charter.

Pat Gill, 218 B Street, liked the appointment process, but the Commission should take the time to interview the candidates because they were good enough to volunteer.

Motion: to approve the letter of agreement for Ms. Crotty's services, **Moved by** Commissioner Andrea Samuels, **Seconded by** Vice Mayor Rich O'Brien.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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

Mayor Snodgrass asked the City Attorney to prepare a resolution establishing the Charter Review Committee.

5. Grant Possibilities: Review of Protocols and Topics for Grant Writer

It was the consensus of the City Commission to authorize the Grant Writer to spend up to 16 hours researching possible grants for historic preservation and renovation, purchase of electronic pedestrian safety equipment for crosswalks, undergrounding of utility wires, and purchase of 4.5 acres of oceanfront land.

6. 2nd Avenue Drainage Project:

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

Public Works Director Howell explained that the Change Order represented adjustments to the bid in order to reduce costs.

Five residents spoke in opposition to this project without additional notice to the residents and more information regarding proposed construction in the area.

The City Commission agreed to continue this item to the June 3, 2013 meeting.

10. Prohibiting Pets and Other Activities at Splash Park: Review of Proposed Ordinance

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.

Motion: to approve Ordinance 13-07, **Moved by** Commissioner Andrea Samuels, **Seconded by** Vice Mayor Rich O'Brien.

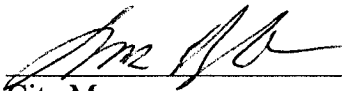
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

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


ADJOURNMENT

Due to the late hour, the meeting was adjourned at 11:03 p.m. and the remainder of the agenda was continued to the next meeting.

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.)