



**MINUTES
CITY COMMISSION MEETING
CITY OF ST. AUGUSTINE BEACH
JANUARY 3, 2017 6:00 PM.**

City Hall
2200 A1A South
St. Augustine Beach, FL 32080

I. CALL TO ORDER

Vice Mayor George called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Vice Mayor George led the Pledge of Allegiance.

III. SWEARING IN CITY COMMISSIONERS FOR SEATS 1 AND 2

A. Ms. Maggie Kostka (Seat 1)

Maggie Kostka was sworn in as St. Augustine Beach Commissioner by City Attorney Wilson and signed the Oath of Office (See Attached).

B. Mr. Rich O'Brien (Seat 2)

Rich O'Brien was sworn in as St. Augustine Beach Commissioner by City Attorney Wilson and signed the Oath of Office (See Attached).

Vice Mayor George asked for the roll call.

IV. ROLL CALL

Present Commissioner England, Commissioner George, Commissioner Kostka, Commissioner O'Brien, and Commissioner Snodgrass.

Also Present: City Manager Royle, City Attorney Wilson, Police Chief Hardwick, Chief Financial Officer Burns, City Clerk Raddatz, Building Official Larson and Public Works Director Howell.

V. ELECTION OF MAYOR AND VICE MAYOR FOR 2017

Commissioner George advised the Commission that members of the audience would like to speak regarding the election of the Mayor and Vice Mayor.

Commission agreed to open the Public Comment section.

Commissioner George opened the Public Comment section. The following addressed the Commission: Leonard Lyons, 10 E Street, St Augustine Beach, FL; Ed Slavin, P.O Box 3084, St. Augustine, FL; Sandra Krempasky, 7 C Street, St. Augustine Beach, FL. Frank Ward, 1152 Overdale Road, St Augustine Beach, FL; Len Trinca, 7 F Street, St. Augustine Beach, FL, Ann Palmquist, 213 10th Street, St. Augustine Beach, FL; Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL; Linda Ringwood, 8 F Street, St Augustine Beach, FL, Dusty Young, 5 F Street, St. Augustine Beach, FL; Ed George, 9 C Street, St. Augustine Beach, FL; Pat Gill, 218 B Street, St. Augustine Beach, FL; and Richard Backlund, 17 Lee Drive, St Augustine Beach, FL.

Commissioner George closed the Public Comment section and advised that City Attorney Wilson would explain the procedures for Mayor and Vice Mayor nominations.

City Attorney Wilson explained the procedures for nominations and voting by written ballot.

Commissioner England explained that she has given the election for Mayor serious thought and advised that Mayor O'Brien and Vice Mayor George did an incredible job as a team this year, especially during Hurricane Matthew. She thanked them both very much for their efforts. She commented that the City was facing big challenges this year and remarked that the leadership should hold steady for another year because of the challenges of the beach renourishment project and St. Johns County looking into parking at Pier Park. She explained that the face of the City should remain the same for one more year with the Vice Mayor taking on more responsibilities for the City. She nominated Rich O'Brien for Mayor and Undine George for Vice Mayor for one more year.

Commissioner Kostka nominated Undine George for Mayor. She advised that the Charter says the Mayor position does not give any higher authority and all the Commission seats are the equal; however, with the challenges facing the City, there needs to be a leader who is knowledgeable about the laws of the Constitution, who has proven objectivity, and who has been present at several events for the City and given addresses because of the absence of the Mayor. She advised that everyone has done an excellent job, but explained that she believed Undine George was the best candidate for Mayor and deserves to be Mayor.

Commissioner George accepted the nomination.

City Attorney Wilson asked the Commission to vote. He then tallied the votes and declared that there were three votes for Rich O'Brien and two votes for Undine George. He then announced that Rich O'Brien was elected Mayor.

Commissioner George then asked for nominations for Vice Mayor.

Commissioner Snodgrass moved to nominate Undine George as Vice Mayor, Commissioner Kostka seconded the motion.

Commissioner George accepted the nomination and asked for any other nominations. Being none, Commissioner George asked the Commission to vote.

City Attorney Wilson announced the vote was unanimous to elect Undine George as Vice Mayor. He then swore in Mayor O'Brien and Vice Mayor George into their elected offices

Mayor O'Brien recessed the meeting at 6:31 p.m. and reconvened the meeting at 6:36 p.m.

VI. APPROVAL OF MINUTES OF THE CITY COMMISSION MEETING OF DECEMBER 12, 2016

Mayor O'Brien introduced Item IV and then asked for a motion.

Motion: to approve the minutes of the City Commission meeting of December 12, 2016. **Moved by** Commissioner Snodgrass, **Seconded by** Commissioner England. Motion passed unanimously

VII. ADDITIONS OR DELETIONS OF THE AGENDA

Mayor O'Brien asked if there were any additions or deletions of the agenda.

City Manager Royle advised that distinguished guest County Commissioner Henry Dean requested to speak to the Commission regarding what he envisioned for the coming year.

Mayor O'Brien asked to add this item under Item IX, Presentations.

Commissioner agreed.

VIII. CHANGES TO ORDER OF TOPICS ON THE AGENDA

Mayor O'Brien asked if there were any changes to order of topics on the agenda. Being none, Mayor O'Brien moved on to Item IX.

IX. PRESENTATIONS

Added Item to Agenda:

County Commissioner Henry Dean, 224 N. Forest Dune Drive, St. Augustine Beach, FL, advised that his highest priority was to have St. Johns County and the City work together on the beach restoration / renourishment project. He explained that he has been heavily engaged with the beach restoration / renourishment project for the immediate and long term needs. He advised that he was totally committed to continue to sponsor and fund the beach restoration / renourishment project. He then addressed the issues of repaving the roads in the City of St. Augustine Beach, improvements at Ron Parker Park, budget difficulties due to Hurricane Matthew, the scheduled meeting on January 9th with Federal Emergency Management Agency (FEMA) in regards to Hurricane Matthew's

reimbursement and scheduling a joint workshop with St. Johns County and the City of St. Augustine Beach at the City Commission's chambers. He mentioned that he was looking forward to the Commission's discussion items for the joint workshop and requested that if the residents have suggestions or complaints to please contact him.

Commissioner Snodgrass remarked that County Commissioner Dean's comments were very refreshing and thanked him for his willingness and energy. He explained that the City Commission wants to strengthen the ties between St. Johns County and the City and welcomed his ideas on how to bring the two agencies together because it seems like the City is the last to know what St. Johns County is approving. He advised that the City receives the memo right before the action happens. He asked County Commissioner Dean how to improve and enhance the relationship between the City and the County and advised that he would welcome his ideas on how to do that. He remarked that the joint workshop would be a wonderful first step.

County Commissioner Dean agreed with Commissioner Snodgrass that better communication was needed.

Commissioner Kostka thanked County Commissioner Dean for coming to the meeting and speaking with the City Commission. She remarked that she was looking forward to working together with the County Commission.

Mayor O'Brien opened the Public Comment section. The following addressed the Commission: Ed Slavin, P.O. Box 3084, St. Augustine, FL and Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL.

A. Proposal by the St. Johns Cultural Council to Transfer Lease for the Former City Hall to The Dance Company

Mayor O'Brien asked the representative from the St. Johns Cultural Council to come to the podium.

Barbara McNees, 35213 Harbour Vista Circle, St. Augustine, FL, President of the St. Johns Cultural Council Board, explained that St. Johns Cultural Council would like to transfer their lease to The Dance Company. She explained that St. Johns Cultural Council's goal was to preserve the historic building by providing maintenance, which they did through funding from grants, loans, public and private funding. She explained that in 2012 the St. Johns Cultural Council changed their focus when they entered into an agreement with the Tourist Development Council (TDC). She explained that it administered the arts, cultural and heritage portion of the TDC tasks. She remarked that they did a survey and clearly heard that St. Johns Cultural Council should be focusing their efforts in business development to market the arts groups and individual artists. She explained that St. Johns Cultural Council does not have the capacity or the resources to do any more improvements to the building. She advised that The Dance Company was willing to step forward to preserve and protect the building.

Les Thomas, 32 Cordova Street, St. Augustine, FL, Board Member of the St. Johns Cultural Council, gave a brief history and overview of the maintenance costs of the building (Exhibit 1). He advised that the costs for maintenance of the building was a total of \$1,072,943.59. He explained that The Dance Company spent \$29,887.43 in tenant improvements.

Larry Roselle, 4340 CR 305, Elkton, FL, President of The Dance Company, introduced the Board Members of The Dance Company. He then gave a history of The Dance Company as a 501(c)3 non-profit community based organization, which currently has over 300 students. He remarked that 95% of the students go on to college and The Dance Company pays for less fortunate students to dance with the company. He advised that The Dance Company has had a proactive role in maintenance of the building by repairing air conditioning units, flooring due to leaks in the building, and the exterior of the building. He mentioned that St. Johns Cultural Council asked The Dance Company to take over the master lease of the building, pay off the loan of \$72,000 and resume the maintenance of the building. He advised that The Dance Company would continue the terms of the lease.

Mayor O'Brien asked if The Dance Company would honor the lease of The Art Studio until 2026.

Mr. Roselle advised yes.

Mayor O'Brien asked Mr. Roselle if St. Johns Cultural Council did not have the funding to do the maintenance on the building, how would The Dance Company be able to do it.

Mr. Roselle advised that The Dance Company has enough funding to pay off the loan and the cash flow to continue the maintenance. He explained that he had the building inspected, so The Dance Company knows what would be required in terms of the costs.

Commissioner England asked if the outstanding loan was made to St. Johns Cultural Council and whether The Dance Company would pay it off on the assumption of the lease.

Mr. Roselle advised that the loan was in the name of St. Johns Cultural Council and The Dance Company did have the existing funds to pay it off.

Commissioner Kostka asked for the written or verbal agreement between St. Johns Cultural Council lease and The Dance Company.

Mr. Roselle advised that they did have a lease and he would give the Commission a copy of it.

Commissioner Kostka asked if The Dance Company would be opposed to terminating the current lease for a new lease with the City.

Mr Roselle advised that it would depend on the lease.

Andy Witt, Executive Director of St. Johns Cultural Council, advised that it was a misunderstanding to say that St. Johns Cultural Council could not afford the maintenance for the building. He explained that the rent from The Dance Company and The Art Studio is a wash. He advised that if The Dance Company takes over the master lease then The Dance Company would not have to pay rent, but would be taking over the maintenance of the building.

Commissioner Snodgrass asked what was the amount of the rent payments that St. Johns Cultural Council receives.

Mr. Witt advised approximately \$31,000 a year from The Dance Company and The Art Studio pays \$1,800 a year. He explained that The Dance Company would honor the master lease through 2026.

Commissioner Snodgrass asked what the annual operating expenses were.

Mr. Witt advised approximately \$30,000 a year. He explained that the main costs are the insurance for the building. He advised that St. Johns Cultural Center has made a commitment and the total investment has been approximately \$1,102,000. He explained that St. Johns County Cultural Council's obligations has expanded throughout St. Johns County and because the Tourist Development Council monies for capital construction are not available it effects the ability for St. Johns County Cultural Council to raise additional funds for the maintenance needed. He advised that The Dance Company has the resources to look for funding through historic foundations and private donations.

Commissioner Snodgrass asked when the last independent audit or assessment was made to the building

Mr. Witt advised post hurricane. He advised that St. Johns Cultural Council applied for a loan and did a total review of the building.

Commissioner Snodgrass asked for a copy of the report on the findings of the building. He also asked what capital projects were on the horizon for this building and what were the projected costs over the next five years.

Mr. Witt advised that there was plans to do major renovations to the second floor was to provide restaurant space, but for a variety of reasons that was not feasible. He explained that that was why The Dance Company had a vision for the second floor renovations.

Commissioner Snodgrass asked what other capital projects were on the horizon besides renovating the second floor, such as windows, roof, walkways, air conditioners, etc.

Mr. Witt advised the only thing planned was to maintain the structure of the building. He advised that because of the lack of funding, they were only going to do the maintenance of the building.

Commissioner Snodgrass requested a copy of the survey.

Mr. Thomas advised that The Dance Company did a survey and the City's Building Official did do an inspection after the hurricane.

Commissioner Snodgrass asked for an updated income statement and what the revenues and expenses were every year.

Mr. Roselle advised that there were approximately \$400,000 in revenues.

Commissioner Snodgrass asked what The Dance Company has in reserves currently

Mr. Roselle advised over \$200,000.

Commission Snodgrass asked if they would use their reserves to pay off the loan.

Mr. Roselle said yes.

Commissioner Snodgrass asked what The Dance Company's vision was for the building

Mr. Roselle advised that they want to renovate the second floor by raising the ceilings four feet, taking out the load bearing walls, and making it handicap accessible, which would cost approximately \$800,000. He explained that The Dance Company wants to be in concert with the Commission and would want to extend the lease to 2026.

Commissioner Snodgrass asked how The Dance Company plans to fund the project.

Mr. Roselle advised that he would seek grants and the rent money that they use to pay to St. Johns Cultural Center towards the project.

Commissioner Snodgrass asked how would the space be used.

Mr. Roselle advised that the space would be used by The Dance Company and the public programs such as a pre-school program, pilates, adult dances, etc. He explained that it would be a furtherance of a community space.

Commissioner Snodgrass asked for Mr. Roselle's assessment of the structure of the building.

Mr. Roselle advised that the engineer said the building is structurally sound. He explained that the windows that were boarded up on the second floor needs repair because when it rains, it leaks in the building.

Commissioner Snodgrass asked if The Dance Company was prepared to absorb the costs to take over the maintenance of the building.

Mr. Roselle advised yes.

Commissioner Snodgrass asked if The Dance Company discuss this with The Art Studio Board members.

Mr. Roselle remarked that he spoke with The Art Studio's Executive Director and advised them that they would honor their lease of one year and give them a five-year extension, which would extend their lease to the maturity of the master lease to 2026.

Mayor O'Brien asked if a representative from The Art Studio would like to speak.

Judy Shaulis, 20 River Road, St. Augustine, FL, President of The Art Studio, explained what they do for the local community members, tourists, and from other communities. She advised that The Art Studio was the face of the City of St. Augustine Beach. She remarked that if St. Johns Cultural Center has changed their focus, maybe the City needs to develop another Board to make sure that the citizens' interest comes first. She explained that they did speak with her, but their plans were to move the elevator over to the middle of the building, which would take away from The Art Studio's space. She said it would be better to move the elevator over to the side of the building. She advised that The Dance Company did offer to extend the lease, but she explained that The Art Studio needs more space. She advised that The Art Studio would like to be a part of the negotiations because they did not find out about this until two days before Christmas. She proposed to have an interim non-profit Board that would be nonpartisan. She remarked that the end of the lease is not that long of a time and where would they go after that. She remarked that The Art Studio feels that the lease should not be assumed by a private company because they have their own agenda and The Art Studio is not included in their agenda. She advised that she didn't know if the lease provides for an assumption of lease, except for finding of fault. She explained that The Art Studio does not agree with the St. Johns Cultural Council appointing their own assessor, which is a private company and The Art Studio should be included in that decision.

Commissioner Snodgrass asked if The Art Studio was a 501 (C) 3 and asked them what their plans and visions were for their space and any additional space.

Ms. Shaulis advised that The Art Studio wants the adjacent room next to their space. She commented that The Art Studio repaired the roof in that area. She explained that The Art Studio wants to be considered for additional space in the future. She advised that The Art Studio currently has workshops with 25 people and it is very difficult to get everyone into the current space they have. She remarked that they were growing and currently have 120 members.

Mayor O'Brien asked if The Art Studio has any reserves.

Ms. Shaulis advised that they have a small amount of reserves, but The Art Studio is community based and do not have a lot of money. She advised that The Art Studio has never applied for any grants, but they can in the upcoming year.

Mayor O'Brien asked if The Art Studio would like to make a proposal to the Commission.

Ms. Shaulis advised yes. She said that she was only informed of this less than two weeks ago, but she would prepare and come back to the Commission, if they want her to.

Commissioner Snodgrass asked if The Art Studio has a collaborative relationship to other non-profits art agencies such as the St. Augustine Art Association

Ms. Shaulis advised that The Art Studio does not have a close relationship with the St. Augustine Art Association; however, she advised that she had a personal relationship with them. She advised that she does have connections, but not necessarily locally. She commented that The Art Studio does not have a close connection with The Dance Company

Vice Mayor George thanked Ms. Shaulis for what The Art Studio does and advised that she was familiar with their work.

Mr. Witt advised that St. Johns Cultural Council was very proud of The Art Studio and worked hard to get them into their space. He explained that their rent does not cover everything, but they were happy to have them. He commented that the lease does allow St. Johns Cultural Council to convey the lease agreement without the Commission's permission. He explained that St. Johns Cultural Council would be willing to maintain the lease until 2026, but it does present issues for management and operations. He advised that St. Johns Cultural Council would be willing to accept other interested parties. He commented that any interested party would have to pay off the loan of \$72,000. He advised that he hopes the City was pleased with the amount of maintenance and repairs done on the building by St. Johns Cultural Council.

Discussion ensued regarding the fifteen-year loan payment being paid by The Dance Company and The Art Studio rent payments.

Mr. Roselle advised that the elevator would not cut into The Art Studio's space. He advised that the elevator would be in the fourth studio area, not in The Art Studio's space.

Mayor O'Brien advised that there didn't seem to be a relationship between The Dance Company and The Art Studio.

Mr. Roselle explained that initially The Art Studio complained about The Dance Company's noise, however, it was Commissioner Snodgrass who said when you build a house next to the airport, don't complain about the noise. He advised that the

previous Arts Studio Board members were contentious with us, but he didn't believe the new Board members had any ill feelings now

Mayor O'Brien encouraged both The Art Studio and The Dance Company work together and get to know one another.

Vice Mayor George recapped by saying that The Dance Company would not only extend the lease for The Art Studio, but extend the lease until 2026.

Mr. Roselle advised yes. He said that The Dance Company's objective is to go up to the second floor, not to take The Art Studio's space.

Mayor O'Brien opened the Public Comment section. The following addressed the Commission: Carole Foster, 120 Loyola Road, St. Augustine, FL; Trune Zmoeling, 778 Perimeter Park Circle, St. Augustine, FL; John Gamache, 440 S Villa San Marco Drive, St. Augustine, FL; Marilyn Terry, 169 Lions Gate Drive, St. Augustine, FL; Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL; Steve Mither, 17 Sea Oaks Drive, St. Augustine Beach, FL; Ed Slavin, P O. Box 3084, St. Augustine, FL; Dara Dodson, 521 Tart Road, St. Augustine, FL; Cindy Ward, 246 Wisteria Road, St. Augustine, FL; Martha Delaney-Hotz, 305 B Street, St. Augustine Beach, FL; Craig Thomson, 6 D Street, St. Augustine Beach, FL; Bruce Wright, 118 15th Street, St. Augustine Beach, FL; Bill Jones, 207 Woodland Avenue, St. Augustine Beach, FL; Pat Gill, 216 B Street, St. Augustine Beach, FL, and Amy Newman, 302 17th Street, St. Augustine Beach, FL

Mayor O'Brien closed the Public Comment section. He remarked that St. Johns Cultural Council put a lot of money and time into the building, which the City appreciates. He also thanked The Dance Company and The Art Studio for their help in the maintenance of the building. He advised that The Dance Company does have the resources to take over the lease since the St. Johns Cultural Council has changed their focus, but it was important is that The Dance Company wants The Art Studio to stay. He commented that he wants The Art Studio to stay because they do a great job for the community; however, he explained that he did have a concern about it not being put out to bid. He advised that if the Commission did want to take this proposal, then The Dance Company and The Art Studio should meet and come back to the Commission with any changes they agreed on.

Vice Mayor George remarked that the City was so blessed for both of these organizations and the City wants both. She advised that she wants security for both organizations in case Board members of The Dance Company changes, since The Art Studio would be dependent upon The Dance Company to lease them their space.

Commissioner England advised that the City was very fortunate to have both organizations maintaining the property, since the City does not have funds available to do so. She explained that the City does own the property and has a responsibility to review the leasing agreement and see if there are customary provisions in the lease. She explained that she would like to receive a copy of the building structure inspection report.

Commissioner Snodgrass thanked St. Johns Cultural Council for their commitments and maintenance of the building. He advised that The Dance Company and The Art Studio should be friends and strengthen their relationship. He explained that the City staff did provide the Commission with good information. He suggested review of the lease and the building needs to be assessed by an independent third party. He commented that The Art Studio and others should be given the time to come back and give their bids and suggestions. He requested that City Attorney Wilson review the lease and have staff get an independent assessment of the building.

Commissioner Kostka recognized both groups on their contributions to the community. She advised that when she was a teacher, her students loved The Dance Company. She suggested both organizations get together and discuss options and agreed that it was premature to move forward at this time. She requested a current floor plan used by The Dance Company and The Art Studio as well as what both organizations vision is for what space they would need in the future. She suggested creating a new lease agreement with the lease being as a community center.

Mayor O'Brien asked if a Request for Proposal should be done.

City Attorney Wilson advised that the lease could not be cancelled unless there were grounds. He explained that the City needs to work within the framework of what the lease says currently and assign the lease in a proper fashion. He advised that he would review the current lease and come up with a new lease agreement. He suggested that The Dance Company and The Art Studio work together to agree on the lease and then bring it back to the Commission for discussion. He advised that the building should be kept as a public building and should be stated in the lease agreement as a public building.

Mayor O'Brien advised that The Art Studio and The Dance Company work together to come up with a draft of their visions for the future and come back to the Commission in February to discuss it with the Commission. He requested the building inspection report.

Vice Mayor George advised that if both organizations would be on the lease, then it would be difficult to assign the maintenance. She suggested that it was fine to be a sublessee and it may work in The Art Studio's favor.

Commissioner Snodgrass advised that he agrees with Vice Mayor George to deal with only one entity.

Mayor O'Brien requested that this be brought back to the February Commission meeting.

It was the consensus of the Commission to have City Attorney Wilson draft a lease with the comments from tonight's meeting and present it to the Commission for February's meeting.

Mayor O'Brien recessed the meeting at 8:27 p.m. and reconvened the meeting at 8:35 p.m.

B. Proposal by Advanced Disposal to Renew Contract for Recyclable Collection

Mayor O'Brien introduced Item IX B. and asked the representative from Advanced Disposal to come to the podium.

Greg Huntington, 90 Fort Wade Road, Ponte Vedra FL, representative of Advanced Disposal, congratulated Commissioner Kostka for her newly elected position and Mayor O'Brien on his reelection. He thanked the Commission for their public service. He advised that he was here to follow up on a letter sent to the Commission for another five-year contract renewal. He then gave the history of Advanced Disposal and their methods for safety, customer service, and quick response.

Discussion ensued regarding what enhancements would Advanced Disposal offer in the next five years; using large containers increase cross-contamination; increasing of costs to recycle; Advanced Disposal doing a good job in the community, whether to have a Request for Proposal (RFP) done, whether the contract price would remain the same with the City getting larger bins; renewal of the contract being in April 2017; City Attorney Wilson looking into whether contract changes could be made under the current contract; applauding Advanced Disposal's commitment to safety; Advanced Disposal having good service; educating the public on what is allowed to be recycled; Advanced Disposal sending information regarding recycling for the City's website; and whether Advanced Disposal sends the recycling to a single source transfer station.

Mayor O'Brien opened the Public Comment section. The following addressed the Commission: Ann Palmquist, 213 10th Street, St. Augustine Beach, FL; Ed Slavin, P.O. Box 3084, St. Augustine, FL; Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL and Brandon Kachmar, 3661 A1A S, St. Augustine Beach, FL;

Discussion ensued regarding not using large recycling bins due to wires and tree canopies; whether Advanced Disposal pays their employees time and a half for overtime; whether the City should go out to bid; Advanced Disposal following up with a complaint about Mr. Kachmar's mailbox being destroyed and following it up with a letter to City Manager Royle; and the Commission having an obligation after ten years to go out to bid.

It was the consensus of the Commission to do a Request for Proposal for recycling.

C. Proclamation, to Declare January 22- 28, 2017, as School Choice Week

Mayor O'Brien introduced Item IX.C. and asked if anyone was in the audience to representing the proclamation.

Vice Mayor George advised that they had a request for public comment.

Mayor O'Brien opened the Public Comment section. The following addressed the Commission: Tom Reynolds, 880 A1A Beach Blvd., St Augustine Beach, FL.

Motion: to approve School Choice Week Proclamation. **Moved by** Mayor O'Brien, **Seconded by** Commissioner Snodgrass. Motion passed unanimously.

X. PUBLIC COMMENTS

Mayor O'Brien opened the Public Comment section. The following addressed the Commission: Terri Hansen, 390 A1A Beach Blvd., St. Augustine Beach, FL; Ed Slavin, P.O. Box 3084, St Augustine, FL; Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL; Nick Bender, 232 Big Magnolia Court, St. Augustine Beach, FL, and Ann Palmquist, 213 10th Street, St. Augustine Beach, FL.

Mayor O'Brien closed the Public Comment section.

Commissioner Snodgrass asked for an after action study on Beach Blast Off to see what worked well and what didn't with all those who were very involved with setting up the Beach Blast Off, including the possibility of background checks for volunteers. He advised that he would like a report in February's Commission meeting

XI. PUBLIC HEARINGS

None

XII. CONSENT

None

XIII. OLD BUSINESS

1. Special Events in City. Consideration of New Policies to Regulate

Mayor O'Brien introduced Item XIII.1. and asked for a staff report.

City Manager Royle advised that this item was previously discussed, but no resolution was determined. He mentioned that Chief Hardwick requested not to have Diva Run in the City due to traffic problems and residents' complaints. He advised that the Commission discussed changes to the Special Event Permit form and he needed guidance from the Commission on what they would like to see changed

Mayor O'Brien remarked that the changes looked good that were presented.

Discussion ensued regarding whether to allow special events during holidays and spring break; whether to have the Commission decide on a case by case basis for some events during the holidays; whether changing the special events policy could cause unintended consequences; creating guidelines for special events; whether the City should exclude marathons or half marathons, residents complaining about being

trapped in their homes and not being able to go to church because of the marathons; Police Department managing the Diva Run when it was only in a small part of the City's jurisdiction; Diva Run having several noise complaints from the residents; Diva Run changing route the day of the race; Commission approving the events and then leaving it up to the staff to work the details out; not having special events during April through September that have road closures due to the amount of tourists in the area; creating an impact worksheet to be completed by the Police Department and staff before it goes to the Commission; maintaining flexibility; not allowing special events during holidays; not allowing for profit special events like the Diva Run; and what donation did the Diva Run give to the County for a profit organization.

Commissioner Snodgrass asked to see the books for the Diva Run, see who they donated their money to, and how much money they received. He recommended that City Manager Royle and Chief Hardwick come back with specifics items that they insist on in the special permit application.

Commissioner England advised that the City has an Events Coordinator which could help with some of the work. She requested a report on the Beach Blast Off at the February Commission meeting.

Commissioner Kostka asked if the residents know about the road closures and where it would affect them

Police Chief Hardwick advised that he notifies the residents by a full page ad in the paper five days prior to the Diva Run, billboards, hands out flyers to the residents where the route will be held, website, and flyers in hotels.

Mayor O'Brien opened the Public Comment section. The following addressed the Commission: Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL.

2. Medical Marijuana: Discussion of Regulating Where It Can Be Sold

Mayor O'Brien introduced Item XIII 1. and advised that the voters passed this to give assistance to the people who need it. He advised that this was a proactive not reactive discussion tonight on where marijuana could be sold within the City limits

City Manager Royle commented that counties and cities are passing moratoriums on this issue, but he explained that he gave the Commission a guideline on what the criterias were for liquor stores as a starting point on where medical marijuana could be sold within the City. He commented that the one shopping center was where Publix is or a pharmacy location. He remarked that the City doesn't allow standalone liquor stores and should not allow them for medical marijuana. He explained that the City shouldn't prohibit the sale, but they should give clear direction on where it could be sold and it would be up to the owner of the building if they want to allow the sale of it in their building.

Commissioner George advised that the draft that was provided didn't seem to embrace pharmacies. She explained that she believed a pharmacy would be the appropriate place to purchase medical marijuana.

Commissioner Snodgrass asked what are other cities and counties doing, what is the historic city doing, what are the best practices, and what can we learn from them.

Commissioner Kostka agreed with Commissioner Snodgrass. She advised that there are states that have policies and procedures in place that are working very well and our City should review those before making a decision.

City Attorney Wilson remarked that these policies should not be rushed because the State of Florida has six to nine months before implementation on how and where it could be dispensed.

Mayor O'Brien opened the Public Comment section. The following addressed the Commission: Isiah Abenchuchon, 114 ½ Bridge Street, St. Augustine, FL; Marc Ressler, 176 Crossroad Lakes Drive, Ponte Vedra Beach, FL; Tom Reynolds, 880 A1A Beach Blvd., St. Augustine Beach, FL; Lynette Horwath, 310 Ryder Cup Circle, St. Augustine, FL; John Grapsas, 390 A1A Beach Blvd, St. Augustine Beach, FL; Ed Slavín, P.O. Box 3084, St. Augustine, FL.

Mayor O'Brien closed the Public Comment section and requested staff to get more information and City Attorney Wilson to draft a policy for the Commission.

XIV. NEW BUSINESS

3. Scheduling Meetings:

- A. with Land Planner Consultant, Ms. Lindsay Haga, to Review Land Development Regulations Changes

Mayor O'Brien asked City Manager Royle for available dates to meet with Ms. Haga.

Discussion ensued on Commission availability; how many hours it would take to discuss it; what types of topics would be addressed at the meeting.

It was the consequences of the Commission to meet on February 6, 2017 at 12 noon.

Commissioner Kostka asked that for a public notice posted for this meeting.

City Manager Royle advised that he would post notices as usual.

Commissioner Snodgrass asked if City Manager Royle and staff could follow up with any questions that Commissioner Kostka has regarding the Land Development Regulations.

City Manager Royle advised he would do so.

Mayor O'Brien opened the Public Comment section. The following addressed the Commission: Ed Slavin, P.O. Box 3084, St. Augustine Beach, FL.

B. with County Commission to Discuss Various Topics

Mayor O'Brien asked the Commission when they were available to meet with St. Johns County Commission to discuss various topics.

Discussion ensued regarding when to meet with St. Johns County Commission

It was the consensus of the Commission to give the available dates of March 13, 2017, March 14, 2017 or March 18, 2017 to the St. Johns County Commission. The City Commission also requested City Manager Royle to get back with the answer to those dates to the Commission.

Mayor O'Brien opened the Public Comment section. The following addressed the Commission: Ed Slavin, P O Box 3084, St. Augustine Beach, FL.

XV. COMMISSIONER / STAFF COMMENTS

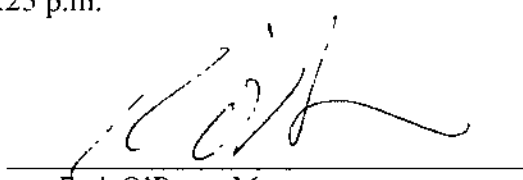
None.

XV. ADJOURNMENT

Mayor O'Brien asked for a motion to adjourn

Motion: to adjourn. **Moved by** Mayor O'Brien, **Seconded by** Commissioner Snodgrass. Motion passed unanimously.

Mayor O'Brien adjourned the meeting at 10:25 p.m.



Rich O'Brien, Mayor

ATTEST



Beverly Ruckelshaus

City Clerk