



**MINUTES
SPECIAL CITY COMMISSION MEETING
CITY OF ST. AUGUSTINE BEACH
APRIL 3, 2014 7:00 PM.**

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

CALL TO ORDER

The meeting was called to order by Mayor Samuels at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: Mayor Samuels, Vice-Mayor O'Brien, Commissioner Helhoski, Commissioner Pawlowski, Commissioner Snodgrass.

Also Present: City Manager Royle, City Attorney Whitehouse, Deputy City Clerk Benson, Finance Director Burns, Police Chief Hardwick, Public Works Director Howell, and Building Official Larson.

CONSIDERATION OF CITY CHARTER CHANGES TO PUT ON BALLOT

Discussion by Commission of Possible Changes:

Mayor Samuels recommended some of the ballot questions be placed on the primary ballot, some be discarded, and others placed on the November general election ballot.

Motion: to approve the changes to **sections 1-2 Boundaries, 1-3 Powers, 1-4 Elective Officers, 1-7 Removal/Forfeiture, 1-13 City Clerk and the preamble** for referendum at the August 2014 primary election, Moved by Mayor Samuels, Seconded by Commissioner Snodgrass.

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

Yes: Commissioner Helhoski, Commissioner Pawlowski, Commissioner Snodgrass, Mayor Samuels, Vice-Mayor O'Brien.

Mayor Samuels reviewed sections 1-5 Legislative Body and 1-6 Mayor. She suggested adding to both sections a statement that the Vice Mayor was able to call emergency meetings and sign documents if the Mayor was not available.

Motion: to amend **sections 1-5 Legislative Body and 1-6 Mayor** to authorize the Vice Mayor in the Mayor's absence, and to include the sections on the August primary ballot, Moved by Mayor Samuels, Seconded by Commissioner Snodgrass.

Motion passed unanimously.

Motion: to approve **section 1-8 City Manager** as amended to change "officer" to "qualified individual" in paragraph (a), and to place on the August primary ballot, Moved by Mayor Samuels, Seconded by Commissioner Snodgrass.

Motion passed unanimously.

Motion: to approve **section 1-9 Law enforcement** with an exception for the current police chief that termination would require a four-fifths vote, and include the section on the November election ballot, Moved by Commissioner Snodgrass, Seconded by Vice-Mayor O'Brien.

Commissioner Snodgrass was in favor of having the police chief report to the city manager as it was common practice and in the best interests of the city. Commissioner Pawlowski objected that it was contrary to the terms stated when he was hired. Commissioner Helhoski suggested separate votes on how many votes needed to terminate the chief and who he reports to.

Ed George, 216 10th Street, supported the current arrangement. Pat Gill, 218 B Street agreed it was best for the current chief.

Robert Kahler, 29 Sunfish Drive, said all personnel, including police, should report to the city manager.

Ann Palmquist, 213 10th Street, said this issue should be decided by the public.

Ron Brown, Anastasia Dunes, said the recommended structure was best for the city.

Mike Longstreet, 11 13th Street, recommended the section state that the police chief had control over his department.

Vote: Motion passed (summary: Yes = 3, No = 2, Abstain = 0).

Yes: Commissioner Snodgrass, Mayor Samuels, Vice-Mayor O'Brien.

No: Commissioner Helhoski, Commissioner Pawlowski.

Mayor Samuels said **section 1-15 Annual Performance Evaluations** was not needed in the charter because it was policy now. Commissioner Pawlowski said the evaluations are an obligation of the commission and should be in the charter. Commissioner Helhoski agreed. Commissioner Snodgrass said it was an administrative policy and should not be included in the charter. Vice Mayor O'Brien agreed. Commissioner Pawlowski suggested removing the word "annual" to allow more flexibility.

Motion: to approve section 1-15 with the word "annual" removed, Moved by Commissioner Helhoski, Seconded by Commissioner Pawlowski.

Ed George, 216 10th Street; Ed Slavin, Box 3084, St. Augustine; and Pat Gill, 218 B Street, said it should be in the charter.

Bob Kahler, 29 Sunfish Drive, and Robert Samuels, 110 Mickler Boulevard, opposed having it in the charter.

Vote: Motion failed (summary: Yes = 2, No = 3, Abstain = 0).

Yes: Commissioner Helhoski, Commissioner Pawlowski.

No: Commissioner Snodgrass, Mayor Samuels, Vice-Mayor O'Brien.

Section 1-16 (b) Building Height. Mayor Samuels said she said some of the measurements were variable and she would add language that it must comply with state and federal law. City Attorney Burnett said the section would be overridden by state and federal law either way and he had no recommendation.

Vice Mayor O'Brien asked Mr. Larson his opinion on putting it in the charter. Mr. Larson said that he did not feel anyone was penalized by the restrictions.

Ed George, 216 10th Street, said voters should decide if the section should be in the charter.

Grace Guido, 104 Dogwood Drive, asked that the paragraph 1(a) be amended to allow items to extend seven (7) feet above the structure instead of the ten (10) feet currently written because the Land Development Regulations currently allow only seven (7) feet. Pat Gill, 218 B Street, Jeff Bartlett, 18 Lee Drive, and Henry Dean, 224 N. Forest Dunes Drive, agreed.

Ed Slavin, Box 3084, St. Augustine, encouraged preserving the low height limits the city had.

Ron Brown, Anastasia Dunes, said no one on the committee wanted to increase the height limit, but they differed on whether it should be in the charter. He felt it was a matter of trusting the elected officials.

Motion: approve section 1-16 (b) as proposed, Moved by Mayor Samuels, Seconded by Commissioner Pawlowski.

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

Yes: Commissioner Helhoski, Commissioner Pawlowski, Commissioner Snodgrass, Mayor Samuels, Vice-Mayor O'Brien.

Section 2-3 Election of Commissioners. Mayor Samuels, Vice Mayor O'Brien, and Commissioner Snodgrass favored the current method. Commissioner Helhoski said he liked the recommendation because the city would never have an uncontested election. He preferred having no primary. Candidates need to be able to show their attributes rather than attack opponents. Commissioner Pawlowski agreed.

Bob Kahler, 29 Sunfish Drive; Bob Samuels, 110 Mickler Boulevard; Margaret England, 750 Ocean Palm Way; Dan Hubley, 5 N. Trident Place, opposed the change.

Nick Binder, 232 Big Magnolia Court; Ed Slavin, Box 3084, St. Augustine; Ann Palmquist, 215 10th Street; and Mike Longstreet, 11 13th Street, favored the change.

Ron Brown, Anastasia Dunes, was concerned that it could result in result in people with less than 50% being elected.

Motion: to approve section 2-3 as recommended for the November ballot, Moved by Commissioner Helhoski, Seconded by Commissioner Pawlowski.

Vote: Motion failed (summary: Yes = 2, No = 3, Abstain = 0).

Yes: Commissioner Helhoski, Commissioner Pawlowski.

No: Commissioner Snodgrass, Mayor Samuels, Vice-Mayor O'Brien.

Section 2-3 City commission offices. Mayor Samuels, Vice Mayor O'Brien, and Commissioner Snodgrass opposed the recommendation for term limits. Commissioner Pawlowski said the voters should decide whether they want term limits.

Robert Kahler, 29 Sunfish Drive, opposed term limits.

Ed Slavin, Box 3084, St. Augustine, agreed in part with each of them. He felt term limits were a bad idea but the voters should decide.

Pat Gill, 218 B Street, said the people should vote on all of the Charter Review Committee's recommendations.

Motion: to approve section 2-3 for the November ballot, amended to term limits of three (3) terms, Moved by Commissioner Pawlowski, Seconded by Commissioner Helhoski.

Vote: Motion failed (summary: Yes = 2, No = 3, Abstain = 0).

Yes: Commissioner Helhoski, Commissioner Pawlowski.

No: Commissioner Snodgrass, Mayor Samuels, Vice-Mayor O'Brien.

Section 2-8 Initiative and citizen referendum.

Motion: to approve section 2-8 but remove paragraphs (1) Initiative and (f) (1) Initiative, Moved by Mayor Samuels, Seconded by Vice-Mayor O'Brien.

Bob Rousseau, 17 Bermuda Run Way, said the language was taken from the model charter.

Bill Rosenstock, 57 White Court, opposed the section because special interest groups might push something through.

Ed Slavin, Box 3084, St. Augustine, supported the change, but asked that certain things should be exempt, such as fair housing and non-discrimination ordinances.

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

Yes: Commissioner Helhoski, Commissioner Pawlowski, Commissioner Snodgrass, Mayor Samuels, Vice-Mayor O'Brien.

The City Commission took a short break at 9:30 and reconvened at 9:36.

Direction to City Attorney as to Which Changes to Put in Ordinance(s):

Mr. Burnett said the County Supervisor of Elections advised only 6-8 referendum questions could be on the November general election ballot. The others could be on the August primary election ballot or the City could have a separate election. Mayor Samuels reviewed that sections 1-2 Boundaries, 1-3 Powers, 1-4 Elective officers, the preamble, 1-13 City Clerk and 1-16(a) Parks be on the primary election ballots and the other approved sections would be on the general election ballot.

Ed Slavin, Box 3084, St. Augustine, asked to have section 1-16 (a) parks on the general election ballot. Commissioner Helhoski agreed. Mayor Samuels agreed that it should also be on the general election ballot.

It was the consensus of the City Commission to add section 1-14 City Attorney to the primary ballot.

Discussion of How to Educate the Public Concerning Proposed Changes:

Mr. Burnett advised that the city cannot endorse a position, but can notify the public of the issues. The Commission agreed to provide information through the City website, the St. Augustine Record, and the Jacksonville news organizations. Vice Mayor O'Brien suggested Mayor Samuels speak to homeowner associations, the Civic Association and the League of Women Voters. He offered to help, if needed.

City Manager Royle noted the County needed the primary ballot language to be approved by the end of May. First reading would be at the Commission's May 5 meeting and a special meeting in May could be scheduled for second reading. Mr. Burnett felt a special meeting was not required. He will advise after further research. Mayor Samuels asked the Commission to keep May 19 open, just in case a special meeting is needed.

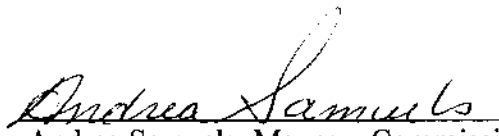
ADJOURNMENT:

There being no further business to come before the City Commission, the meeting adjourned at 9:58 p.m.

ATTEST:



City Manager



Andrea Samuels, 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.)