

OPENING CEREMONIES: INVOCATION, FOLLOWED BY SALUTE TO THE FLAG

Council Member Janson provided the invocation, followed by the Pledge of Allegiance.

CALL TO ORDER:

Mayor Hoffman called the meeting to order at 6:00 P.M.

ROLL CALL:

Mayor: Christine Hoffman

Council Members:	Sandy Golding	Bill Horn	Dan Janson
	Fernando Meza	Cory Nichols	Greg Sutton

Also present: City Manager Mike Staffopoulos, City Attorney Sandra Robinson, Chief Financial Officer Ashlie Gossett, Director of Planning and Development Heather Ireland, Director of Beaches Energy Services Allen Putnam, Beaches Energy Services Utility Superintendent Wayne Hughes, and City Clerk Sheri Gosselin.

APPROVAL OF MINUTES:

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, and passed unanimously to approve the following minutes:

- Budget Showcase held on August 7, 2023
- Regular City Council Meeting held on August 7, 2023
- Council Briefing held on August 14, 2023

APPROVAL OF THE AGENDA

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, and passed unanimously to approve the agenda.

ANNOUNCEMENTS:

Council Member Golding mentioned the Passive Park Open House would be held on August 23, 2023. She recognized the Jacksonville Beach Police Department for their work on the Jared Bridegan case. Ms. Golding noted another Penman Road Community Meeting may be held.

Council Member Meza recognized the Jacksonville Beach Police Department for their work on the Jared Bridegan case.

Mayor Hoffman acknowledged the Jacksonville Beach Police Department for their tireless efforts.

COURTESY OF THE FLOOR TO VISITORS:

- Matt Bierschied, 726 9th Avenue North, Jacksonville Beach, spoke on IQ fiber optic installation on his property.
- Shawn Dahbour, 1120 Owen Avenue, Jacksonville Beach, spoke on a building proposed at 1952 Horn Street. Mr. Dahbour provided a handout [on file].
- Tammy Moses, 105 Theodore Avenue, Jacksonville Beach, spoke on 1952 Horn Street.
- Olga Goldman, 1046 Owen Avenue, Jacksonville Beach, spoke on 1952 Horn Street.
- Veronica Woodyard, 1125 Theodore, Jacksonville Beach, spoke on 1952 Horn Street.
- Megan DeGance, 1019 Theodore Avenue, Jacksonville Beach, spoke on 1952 Horn Street.

CONSENT AGENDA:

Item A **Approve the advanced purchase of two vehicles included in the FY2023-FY2027 Capital Improvement Plan for Beaches Energy Services**

Item B **Accept the Monthly Financial Report for the month of July 2023**

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the Consent Agenda.

Voice Vote: In a voice vote, the motion passed unanimously.

MAYOR AND CITY COUNCIL: *None*

CITY CLERK: *None*

CITY MANAGER:

Item A **Award/Reject Bid No. 2223-07 to Stuart C. Irby Co. for the purchase of Group-Operated Air Break Switches**

Beaches Energy Services Utility Superintendent Wayne Hughes provided background on the item.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to award Bid No. 2223-07 to Stuart C. Irby Co. for the purchase of Group-Operated Air Break Switches.

Discussion: None

Roll Call Vote: Ayes – Golding, Horn, Janson, Meza, Nichols, Sutton, Mayor Hoffman
The motion passed unanimously.

Item B **Nominate and appoint a new Regular Member to fill the remainder of the unexpired term of Jeffrey Jones on the Community Redevelopment Agency (CRA), with a term effective date of September 1, 2023, and term expiring December 31, 2023**

Mayor Hoffman provided background on the item. She opened the floor for nominations.

Council Member Janson nominated Meghan Leslie.

Council Member Golding nominated Ken Marsh.

Council Member Nichols nominated Christi Elflein.

Discussion: A discussion ensued about the nominees.

Roll Call Vote: Marsh – Horn, Meza, Golding
Leslie – Janson
Elflein – Nichols, Sutton, and Mayor Hoffman

A revote occurred due to a tie.

Roll Call Vote: Marsh – Horn, Meza, Golding
Elflein – Janson, Nichols, Sutton, and Mayor Hoffman

Christi Elflein was appointed the new Regular Member to fill the remainder of the unexpired term of Jeffrey Jones on the Community Redevelopment Agency (CRA), with a term effective date of September 1, 2023, and term expiring December 31, 2023.

RESOLUTIONS:

Item A Adopt/ Deny Resolution No. 2149-2023 revising electric rates for Beaches Energy Services

Chief Financial Officer Ashlie Gossett and Director of Beaches Energy Services Allen Putnam provided background on the item.

Mayor Hoffman requested the City Clerk read Resolution No. 2149-2023 by title only, whereupon Ms. Gosselin read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, TO REVISE ELECTRIC RATES FOR BEACHES ENERGY SERVICES; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.”

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Resolution No. 2149-2023 revising electric rates for Beaches Energy Services.

Discussion: None

Roll Call Vote: Ayes – Meza, Nichols, Sutton, Golding, Horn, Janson, Mayor Hoffman
The motion passed unanimously.

Item B Adopt/Deny Resolution No. 2151-2023 delegating authority to the City Manager to terminate employment of City employees for refusal to comply with Section 876.05, Florida Statutes

City Attorney Sandra Robinson provided background on the item.

Mayor Hoffman requested the City Clerk read Resolution No. 2151-2023 by title only, whereupon Ms. Gosselin read the following:

“A RESOLUTION OF THE CITY COUNCIL OF JACKSONVILLE BEACH, FLORIDA, DELEGATING AUTHORITY TO THE CITY MANAGER TO TERMINATE EMPLOYMENT OF CITY EMPLOYEES FOR REFUSAL TO COMPLY WITH SECTION 876.05, FLA. STATUTES; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.”

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Resolution No. 2151-2023 delegating authority to the City Manager to terminate employment of City employees for refusal to comply with Section 876.05, Florida Statutes.

Discussion: None

Roll Call Vote: Ayes – Nichols, Sutton, Golding, Horn, Janson, Meza, Mayor Hoffman
The motion passed unanimously.

ORDINANCES:

Item A Adopt/Deny Ordinance No. 2023-8200 on the second reading amending Chapter 4 "Alcoholic Beverages," Section 4-2. "Prohibited hours of sale, consumption, and service," of the City Code of Ordinances, to comply with House Bill 1561 regarding Special Food Service Licenses in the Downtown Incentive Zone

Mayor Hoffman requested the City Clerk read Ordinance No. 2023-8200 by title only, whereupon Ms. Gosselin read the following:

"AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 4 "ALCOHOLIC BEVERAGES," SECTION 4-2. "PROHIBITED HOURS OF SALE, CONSUMPTION, AND SERVICE," TO COMPLY WITH HOUSE BILL 1561 CREATING A SPECIAL ZONE IN THE CITY OF JACKSONVILLE BEACH, PROVIDING EXCEPTIONS FOR SPACE AND SEATING REQUIREMENTS FOR LIQUOR LICENSES FOR RESTAURANTS IN THE DOWNTOWN INCENTIVE ZONE, PROVIDING FOR ADDITIONAL RESTRICTIONS, PROVIDING FOR COMPLIANCE WITH HOUSE BILL 639; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SCRIVENER'S ERRORS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE."

Mayor Hoffman read the following: "This ordinance is before this Council for a public hearing and consideration on its second reading.

I will now open the public hearing on Ordinance No. 2023-8200."

Public Hearing: No one came forward to speak. Mayor Hoffman closed the public hearing.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Ordinance No. 2023-8200 on the second reading amending Chapter 4 "Alcoholic Beverages," Section 4-2. "Prohibited hours of sale, consumption, and service," of the City Code of Ordinances, to comply with House Bill 1561 regarding Special Food Service Licenses in the Downtown Incentive Zone.

Discussion: None

Roll Call Vote: Ayes – Sutton, Golding, Horn, Janson, Meza, Nichols, Mayor Hoffman
The motion passed unanimously.

Item B Adopt/Deny Ordinance No. 2023-8201 on the second reading to amend Section 34-393 of the Land Development Code to update regulations pertaining to restaurants exempt from the alcoholic beverage establishment proximity requirements

Mayor Hoffman requested the City Clerk read Ordinance No. 2023-8201 by title only, whereupon Ms. Gosselin read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 34 “LAND DEVELOPMENT CODE,” ARTICLE VIII “SITE DEVELOPMENT STANDARDS,” DIVISION 2 “SUPPLEMENTAL STANDARDS,” SECTION 34-393 “ALCOHOLIC BEVERAGE ESTABLISHMENTS,” TO MAINTAIN CONSISTENCY WITH AMENDED CHAPTER 4 “ALCOHOLIC BEVERAGES,” AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SCRIVENER’S ERRORS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.”

Mayor Hoffman read the following: “This ordinance for the amendment of the Land Development Code is before this Council for a public hearing and consideration on its second reading. Under the laws of the State of Florida, an ordinance which changes the actual list of permitted, conditional, or prohibited uses within a zoning category, or which otherwise changes the text of the Land Development Code, is a ‘quasi-legislative’ proceeding. A quasi-legislative proceeding means that a governing body is acting in its rule-making capacity.

It is the duty of the Council to arrive at sound decisions regarding the use of property within the City. This includes receiving citizen input regarding the proposed uses within a zoning category.

The application has been reviewed by Staff and the Planning Commission for consistency with other portions of the Land Development Code and the Comprehensive Plan. The Council may hear from all interested parties in the legislative determination of an amendment to the text of the Land Development Code.

The Council’s decision on a text amendment application is based on the criteria set forth in Section 34-211 of the Land Development Code. Each member of the Council has been provided a copy of the criteria.

I will now open the public hearing on Ordinance No. 2023-8201.”

Public Hearing: No one came forward to speak. Mayor Hoffman closed the public hearing.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Ordinance No. 2023-8201 on the second reading to amend Section 34-393 of the Land Development Code to update regulations pertaining to restaurants exempt from the alcoholic beverage establishment proximity requirements.

Mayor Hoffman read the following: “Before opening the floor for discussion or questions by the Council, please be reminded that our decision will be based on the criteria set forth in the Land Development Code, Staff’s report, the recommendation of the Planning Commission and the public input at all hearings.”

Discussion: None

Roll Call Vote: Ayes – Golding, Horn, Janson, Meza, Nichols, Sutton, Mayor Hoffman
The motion passed unanimously.

ADJOURNMENT:

There being no further business, in a vote voice, the meeting adjourned at 6:45 P.M.

Submitted by: Sheri Gosselin
City Clerk

Approval:



Christine H. Hoffman, MAYOR

Date:

9/5/23