

**Minutes of Regular City Council Meeting
held Monday, February 7, 2022, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES:

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

CALL TO ORDER:

Mayor Pro Tem Nichols called the meeting to order at 6:00 P.M.

ROLL CALL:

Mayor: Christine Hoffman (*absent*)

Mayor Pro Tem: Cory Nichols

Council Members: Georgette Dumont Sandy Golding Dan Janson
Fernando Meza Chet Stokes

Also present were: City Manager Mike Staffopoulos, City Attorney Sandra Robinson, Police Services Division Commander Eric Shaughnessy, Chief Financial Officer Ashlie Gossett, Director of Public Works Dennis Barron, Director of Parks and Recreation Jason Phitides, Director of Planning and Development Heather Ireland, Golf Course Superintendent Trevor Hughes, Parks and Recreation Office Administrator Molly Alleger, and City Clerk Sheri Gosselin.

APPROVAL OF MINUTES:

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

- Regular City Council Meeting held on January 18, 2022
- Council Briefing held on January 20, 2022
- Council Briefing held on January 24, 2022

ANNOUNCEMENTS:

Council Member Golding acknowledged the successful DONNA event and thanked the Police Department. She noted the next City Council meeting was Wednesday, February 23, 2022. She shared the Urban Trails Master Planning meeting would be held on February 9, 2022. Ms. Golding said the Special Election for the Jacksonville At Large City Council seat would be held on February 22, 2022, and early voting would be held February 12-20, 2022.

Mr. Janson announced the Pension Board meeting would be held on February 8, 2022.

COURTESY OF THE FLOOR TO VISITORS:

- Jerry Holland, Property Appraiser for the City of Jacksonville, referenced the Annual Report for Duval County [on file]. He invited the Council Members to reach out with questions.

- Karen Wood, 824 Tournament Road, Ponte Vedra Beach, shared information about the inaugural Women's Wellness Fest, to be held at the Seawalk Pavilion on February 12, 2022.

MAYOR AND CITY COUNCIL: *No items*

CITY CLERK: *No items*

CITY MANAGER:

A. Approve/Disapprove the donation of the Skywatch Platform Lift to Duval County School Police

Police Services Division Commander Eric Shaughnessy stated the lift was purchased in the 2009-2010 JAG (Justice Assistance Grant) cycle. He said it was typically used for special events to monitor crowds. Commander Shaughnessy said approval had been received from the DOJ (Department of Justice), and FDLE (Florida Department of Law Enforcement) as the administrator of the Grant, for the donation.

Motion: It was moved by Ms. Golding, seconded by Ms. Dumont, to approve the donation of the Skywatch Platform Lift to Duval County School Police.

Discussion: Council Member Meza asked if the donation would impact the Police Department's ability to do its job with the camera system.

Commander Shaughnessy said no.

Roll Call Vote: Ayes – Dumont, Golding, Janson, Meza, Nichols, Stokes, Mayor Pro Tem Nichols.
The motion passed unanimously.

B. Approve/Disapprove Purchase and Installation of Proximity Card Access Control Readers at Three City Facilities by Siemens Industry, Inc., Utilizing Sourcewell Contract #030421-SIE in the amount of \$307,765

Motion: It was moved by Ms. Golding, seconded by Mr. Janson, to approve the Purchase and Installation of Proximity Card Access Control Readers at Three City Facilities by Siemens Industry, Inc., Utilizing Sourcewell Contract #030421-SIE in the amount of \$307,765.

Discussion: None.

Roll Call Vote: Ayes – Golding, Janson, Meza, Nichols, Stokes, Dumont, Mayor Pro Tem Nichols.
The motion passed unanimously.

C. Approve/Disapprove the purchase of an emergency generator for Liftstation #3 utilizing Ring Power under a Sourcewell Agreement (State Bid)

Director of Public Works Dennis Barron said they had serious issues with the generator in the past, and it had run its course. He provided an estimate of \$93,379, including contingencies, to purchase the new generator.

Motion: It was moved by Ms. Golding, seconded by Mr. Janson, to approve the purchase of an emergency generator for Liftstation #3 utilizing Ring Power under a Sourcewell Agreement (State Bid).

Discussion: A discussion ensued regarding the contract language specific to Covid and the generator's performance.

Roll Call Vote: Ayes – Janson, Meza, Stokes, Dumont, Golding, Mayor Pro Tem Nichols
The motion passed unanimously.

D. Approve/Disapprove the Pre-order of Five Vehicles for Budget FY2023 Delivery for Public Works Heavy Vehicle Replacement Program

City Manager Mike Staffopoulos said they anticipated long lead times due to supply chain issues.

Mr. Barron said these vehicles were in the 22-26 CIP (Capital Improvement Plan). The vehicles would be due for replacement in FY2023 and typically have a 10 month lead time. His recommendation was to pre-order the vehicles and encumber the funds now.

Motion: It was moved by Ms. Golding, seconded by Mr. Janson, to approve the Pre-order of Five Vehicles for Budget FY2023 Delivery for Public Works Heavy Vehicle Replacement Program.

Discussion: A discussion ensued about the vehicles under the Florida Sheriff's Association contract, the RFP process, and the financial impact of frontloading vehicle purchases in one fiscal year.

Roll Call Vote: Ayes – Meza, Stokes, Dumont, Golding, Janson, Mayor Pro Tem Nichols
The motion passed unanimously.

E. Approve/Disapprove the Community Development Block Grant application for the Carver Center Recreation Program for FY2022-2023

Director of Parks and Recreation Jason Phitides noted this was their annual application to fund part of the operation of the Carver Center.

Motion: It was moved by Ms. Golding, seconded by Mr. Janson, to approve the Community Development Block Grant application for the Carver Center Recreation Program for FY2022-2023.

Discussion: None.

Roll Call Vote: Ayes – Stokes, Dumont, Golding, Janson, Meza, Mayor Pro Tem Nichols
The motion passed unanimously.

F. Award/Reject Bid No. 2122-03 Landscape Maintenance O&M to Brightview as the primary contractor and to Prestige Landscapes of North Florida, Inc., as the secondary contractor and authorize the Mayor and City Manager to execute the final contract

Golf Course Superintendent Trevor Hughes reviewed the facilities and different areas covered under the agreement.

Motion: It was moved by Ms. Golding, seconded by Mr. Janson, to award Bid No. 2122-03 Landscape Maintenance O&M to Brightview as the primary contractor and to Prestige Landscapes of North Florida, Inc., as the secondary contractor and authorize the Mayor and City Manager to execute the final contract.

Discussion: Mr. Janson asked if the Penman Road area south of Beach Boulevard was Jacksonville or Jacksonville Beach.

Mr. Hughes clarified the area by the welcome sign through Wingate Park was Jacksonville Beach, except for a small area outside of the propane facility.

Roll Call Vote: Ayes – Stokes, Dumont, Golding, Janson, Meza, Mayor Pro Tem Nichols
The motion passed unanimously.

G. Award/Reject Bid No. 2122-04 Plumbing Services to Fair Plumbing Company and authorize the Mayor and City Manager to execute the final contract

Mr. Hughes noted this was the same company used for the previous five years, and he had been satisfied with their service.

Motion: It was moved by Ms. Golding, seconded by Mr. Janson, to award Bid No. 2122-04 Plumbing Services to Fair Plumbing Company and authorize the Mayor and City Manager to execute the final contract.

Discussion: None.

Roll Call Vote: Ayes –Dumont, Golding, Janson, Meza, Stokes, Mayor Pro Tem Nichols
The motion passed unanimously.

H. Award/Reject Bid No. 2122-05 Golf Course Tree Services to Odom's Beaches Tree Service, Inc., and authorize the Mayor and City Manager to sign the final contract

Mr. Hughes noted they put out a specific bid for a contractor who had experience working on a golf course. He stated the oak trees on the golf course and 12th Street needed trimming.

Motion: It was moved by Ms. Golding, seconded by Mr. Janson, to award Bid No. 2122-05 Golf Course Tree Services to Odom's Beaches Tree Service, Inc., and authorize the Mayor and City Manager to sign the final contract.

Discussion: None.

Roll Call Vote: Ayes – Golding, Janson, Meza, Stokes, Dumont, Mayor Pro Tem Nichols
The motion passed unanimously.

RESOLUTIONS

A. Adopt/Deny Resolution No. 2099-2022 approving an honorary street name designation application for Honoree Charles D. Holland

Mayor Pro Tem Nichols requested the City Clerk read Resolution No. 2099-2022 by title only, whereupon Ms. Gosselin read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, APPROVING APPLICATION AND HONORARY STREET NAME DESIGNATION SIGN LOCATION FOR AN HONOREE UNDER THE HONORARY STREET NAME DESIGNATION POLICY; AUTHORIZING SIGN INSTALLATION; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.”

Parks and Recreation Office Administrator Molly Alleger said they received an application for the Honorary Street Sign program. She described the Honoree, Charles D. Holland.

Motion: It was moved by Ms. Golding, seconded by Mr. Janson, to adopt Resolution No. 2099-2022, approving an honorary street name designation application for Honoree Charles D. Holland.

Discussion: Council Member Dumont acknowledged the honoree's accomplishments and his family's contributions to the City. Ms. Golding added she met Mr. Holland and shared a conversation they had. Mr. Nichols echoed the sentiments.

Roll Call Vote: Ayes – Janson, Meza, Stokes, Dumont, Golding, Mayor Pro Tem Nichols
The motion passed unanimously.

ORDINANCES

A. Adopt/Deny Ordinance No. 2021-8168 for Outdoor Seating Amendments on the second reading

Mayor Pro Tem Nichols requested the City Clerk read Ordinance 2021-8168 by title only, whereupon Ms. Gosselin read the following:

"AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING ARTICLE IV. DEFINITIONS, ARTICLE VII. ZONING DISTRICTS, AND ARTICLE VIII, DIVISION 2. SUPPLEMENTAL STANDARDS, TO MODIFY THE LIMITATIONS AND CONDITIONS FOR OUTDOOR RESTAURANTS AND BARS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE."

Mayor Pro Tem Nichols 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 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. 2021-8168."

Public Hearing:

No one came forward to speak on the ordinance. Mayor Pro Tem Nichols closed the public hearing.

Ex-Parte Communication:

Mayor Pro Tem Nichols read the following:

"Before requesting a motion on this ordinance, beginning with myself, each of the members is requested to indicate for the record both the names of persons and the substance of any ex parte communications regarding this application. An ex parte communication refers to any meeting or discussion with a person or citizen who may have an interest in this decision, which occurred outside of the public hearing process."

Ms. Dumont disclosed she was contacted via email by David Smith with concerns about the barriers between the outdoor seating areas and residential areas, serving alcohol in outdoor areas after hours, and sound volume. All others reported no ex-parte communication.

Motion: It was moved by Ms. Golding, seconded by Mr. Janson, to adopt Ordinance No. 2021-8168 for Outdoor Seating Amendments on the second reading.

Mayor Pro Tem Nichols 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: A discussion ensued regarding the interpretation of the six-foot fence barrier.

Director of Planning and Development Heather Ireland said the fence would be interpreted as being opaque, and she supported clarifying that in the ordinance. She also stated concerns with limiting outdoor alcohol to 10:00 P.M.

Amended Motion: It was moved by Ms. Dumont, seconded by Ms. Golding, to amend section E with buffering, and include anywhere fence is referenced, fence is preceded with "opaque."

A discussion ensued about what would be the best terminology.

Ms. Dumont wished to amend her motion.

Restated Amended Motion: It was moved by Ms. Dumont, seconded by Ms. Golding, to amend the motion to include the term "noise buffering" preceding anywhere fence is referenced in the Ordinance.

Mr. Staffopoulos suggested using the term opaque or solid.

Ms. Dumont withdrew the original amended motion.

Amended Motion: It was moved by Ms. Dumont, seconded by Ms. Golding, to amend the Ordinance to include “solid” preceding anywhere fence is referenced.

A discussion ensued about dogs in outdoor dining areas allowed with a permit.

Roll Call Vote: Ayes – Stokes, Dumont, Golding, Janson, Meza, Mayor Pro Tem Nichols
The amended motion passed unanimously.

Roll Call Vote: Ayes –Meza, Stokes, Dumont, Golding, Janson, Mayor Pro Tem Nichols
The original motion passed unanimously, as amended.

B. Adopt/Deny Ordinance No. 2022-8170 repealing Code of Ordinances Chapter 33, "Vehicles For Hire," on the second reading.

Mayor Pro Tem Nichols requested the City Clerk read Ordinance 2022-8170 by title only, whereupon Ms. Gosselin read the following:

"AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, TO REPEAL CODE OF ORDINANCES CHAPTER 33, "VEHICLES FOR HIRE," IN ITS ENTIRETY; PROVIDING FOR REPEAL, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.'

Mayor Pro Tem Nichols 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. 2022-8170.”

Public Hearing:

No one came forward to speak on the ordinance. Mayor Pro Tem Nichols closed the public hearing.

Motion: It was moved by Ms. Golding, seconded by Mr. Janson, to adopt Ordinance No. 2022-8170 repealing Code of Ordinances Chapter 33, "Vehicles For Hire," on the second reading.

Discussion: None.

Roll Call Vote: Ayes – Dumont, Golding, Janson, Meza, Stokes, Mayor Pro Tem Nichols
The motion passed unanimously.

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:51 P.M.

Submitted by: Sheri Gosselin
City Clerk

Approval:



Christine H. Hoffman, MAYOR

Date:

