



## MINUTES

### CONTINUATION OF REGULAR CITY COMMISSION MEETING

MONDAY, JUNE 11, 2019, AT 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

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#### I. CALL TO ORDER

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

#### II. PLEDGE OF ALLEGIANCE

Mayor George led the Pledge of Allegiance.

#### III. ROLL CALL

Present: Mayor George, Vice Mayor England, Commissioner Kostka, Commissioner Rumrell, and Commissioner Samora.

Vice Mayor England arrived 6:02 p.m.

Also present: City Manager Royle, City Attorney Wilson, Police Chief Hardwick, City Clerk Raddatz, Building Official Law, and Public Works Director Tredik.

### CONTINUATION OF ITEMS FROM JUNE 10, 2019 REGULAR COMMISSION MEETING

#### XII. OLD BUSINESS

7. Ordinances Related to Parking: Ordinance 19-08, First Reading, to Establish Resident Only Parking Permit System, and Ordinance 19-09, First Reading, to Change Parking Regulations in Chapter 19 of the City Code and to Prohibit Overnight Parking on Public Property in certain areas (Presenter Jim Wilson, City Attorney)

Mayor George introduced Item 7 and asked City Attorney Wilson to give his report.

City Attorney Wilson explained that he made the changes to both ordinance from the minutes as requested by the Commission at the previous meeting.

Mayor George opened the Public Comments section. The following addressed the Commission:

Brud Helhoski, 691 A1A Beach Blvd., St. Augustine Beach, FL, advised that overnight parking should not penalized someone who decided to take an Uber or taxi because they are intoxicated.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agreed with Mr. Helhoski because it is a safety issue. He doesn't agree with the paid parking and the residential ordinance should be tabled forever.

Mayor George closed the Public Comments section and asked City Attorney Wilson whether the City is obligated to hire a Parking Enforcement Specialist.

City Attorney Wilson advised no the City is not obligated, but just giving the designation and establishment of the position.

Mayor George commented that the City could give those duties to a current employee without hiring someone in a new position.

Mayor George asked if the City Manager could have the authority to waive the fee if they took a cab home because they were intoxicated.

Commissioner Kostka suggested establishing a pass from a business to give to the customer the ability to stay in the parking lot.

Commissioner Rumrell advised that public safety is a priority. He suggested if there is a car in the parking lot for multiple nights they could get a ticket. He advised that the discussion started over camping overnight.

Commissioner Kostka suggested changing the wording to no overnight camping.

Vice Mayor England suggested in Ordinance 19-09 deleting under 19-32, (b) instead of complicating the matter.

Mayor George asked City Attorney Wilson if he thinks the ordinance is okay the way it is drafted.

City Attorney Wilson advised it should be okay and could be changed at any time if there are problems.

Police Chief Hardwick advised there is a secondary backup which is a red tag. The Police Department inputs the red tag into their system and if the car is not moved in 72 hours, it will be towed. He commented that he likes the ordinance as it is drafted.

Commissioner Samora asked if overnight parking would be enforced by Pier Park since Embassy Suites guests sometimes park there.

Mayor George advised that Pier Park is public, so it would apply.

Police Chief Hardwick advised that the City has a current Memorandum of Understanding with the County and City of St. Augustine's Police Departments to be able to enforce parking citations. Our Police Officers write citations in the Pier Park parking lot.

Discussion ensued regarding not too many problems with overnight camping; recreational vehicles take up so many parking spaces; parking lot on Pope Road being used by Embassy Suites clients; signs being placed to stop parking on Pope Road; Police Department has all the tools needed to stop overnight camping; and changing the time to 24 hours from 5:00 p.m. to 5:00 a.m.

Discussion ensued regarding deleting in Ordinance 19-09, Section 19.32 (b), to amend the time from 48 hours to 24 hours from 5:00 p.m. to 5:00 a.m., and to amend the language to say upon any street and/or plazas east or west of A1A Beach Boulevard.

Discussion ensued regarding long-haul trucks parking at city hall occasionally.

Mayor George recapped the amendments as in Ordinance 19-09, Section 19.32 (a) to immediately following "upon any street or plazas, east or west on A1A Beach Boulevard in Ocean Hammock Park and any area designated for paid parking."

City Attorney Wilson read the titles of Ordinance 19-09.

**Motion:** to approve Ordinance 19-09 with the modifications previously stated including Section 7, Section 19-32 (a) be amended that after the word upon any street to include the language "or

plazas east or west of A1A Beach Boulevard and Ocean Hammock Park and any areas designated for paid parking” and removing Section 19-32 (b) and changing in Section 19-32 (a) from 48 hours to 24 hours. **Moved by** Mayor George, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Ordinance 19-08.

City Attorney Wilson read the title of Ordinance 19-08.

Discussion ensued regarding Sections 19-59 and 19-60 having the same title.

City Attorney Wilson advised that he would change one of the titles.

Commissioner Samora asked if zoning permits would be applicable to transient rentals.

Mayor George advised that that refers to parking zones by street, not lot zones. She advised that her intent was that it would not apply to transient rentals.

Discussion ensued regarding whether the owners have guests; how many permits would be issued to each property owner; what about the fees for the permits; permit system that would only be adopted by the owners on that street on a voluntary basis; Administration needing to manage the permits; not issuing guest permits; No Parking signs are working; creating operating procedures to implement permits; consider one street to test this system first before it goes Citywide; working with the residents door-to-door to see what streets want signs; leaving the effective date on the ordinance, but don't create the zones until the operational procedures are done; putting on the webpage information informing the residents that this ordinance will be in effect if they would like to voluntarily have it for their street; and enforcing the permit system with improper parking.

Mayor George asked for a motion.

**Motion:** to approve Ordinance 19-08. **Moved by** Commissioner Samora, **Seconded by** Commissioner Kostka. Motion passed unanimously.

Mayor George moved on to Item 11.

11. Cigarette Butts and Tobacco-Related Products: Request to Add Them to City's Definition of Litter (Presenter: Nana Royer or Capt. Adam Morley)

Mayor George introduced Item 11 and asked Nana Royer or Captain Adam Morley to the podium.

Captain Adam Morley, 1205 East State Road 206, asked to bring the City in line with the ordinances that the City of St. Augustine and St. Johns County have that include cigarette butts and tobacco-related products in their litter ordinance.

Mayor George asked if there would be any unintended consequences about this request.

City Attorney Wilson advised that it could be included in the City's ordinance with other waste and disregarded materials but does not see a problem if the Commission wants to add cigarette butts and tobacco-related products to the ordinance.

Mayor George opened the Public Comments section. The following addressed the Commission:

Lauren Young, 711 A1A Beach Blvd., St. Augustine Beach, FL, advised that her group exercises and picks up litter on the beach. She explained that she has picked up 250 pounds of litter including cigarette butts and tobacco products.

Ed Slavin, P.O. Box 3084, St. Augustine, FL, agrees with this ordinance to control litter because it contaminates the ocean.

Mayor George closed the Public Comments section and asked for Commission discussion.

Commissioner Rumrell advised in Atlantic Beach and Neptune Beach reached out to a group called Beaches Go Green and they just got 65 trash cans for cigarette butts free for the beach that they installed on receptacles or poles at the beach. He spoke with the founder and asked how they received that. He explained that Philip Morris is giving them away and typically you can get up to 65 cans for free. He suggested to have City Manager Royle research it. He also advised that there is a group that takes the cigarette butts called TerraCycle in New Jersey, which will use the cigarette butts and recycle them into furniture and other products. He explained that Atlantic Beach and Neptune Beach have seen a nine percent reduction of cigarette butts on the beach so far and they just implemented it.

Mayor George advised that that would be a great educational component.

It was the consensus to bring an ordinance back for Commission approval.

Mayor George moved on to Item 12.

12. Tree Board/Beautification Advisory Committee: Review of Resolution to Change Name to the Sustainability and Environmental Planning Advisory Committee (Presenters: Members of the Tree Board / BAC)

Mayor George introduced Item 12 and asked for a representative of the Tree Board / BAC to come to the podium.

Alex Farr, 3 7<sup>th</sup> Lane, Beautification Committee Vice Chair, advised that the Committee has been doing more landscaping that is more resilient to sea level rise issues, which all the east coast cities agree with. She explained that on Arbor Day the Committee worked on a study regarding sea level rise. She commented that she wants to make it official and to have the Committee's name change to Sustainability and Environmental Planning Advisory Committee (SEPAC) to be less outdated or old fashioned.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, advised that he supports the change, and this would help stop offshore oil drilling.

Mayor George closed the Public Comments section and asked for Commission discussion. Being none, Mayor George asked for a motion.

**Motion:** to approve Resolution 19-06. **Moved by** Commissioner Samora, **Seconded by** Vice Mayor England. Motion passed unanimously.

Mayor George commented that she admires the energy this Committee has and thanked them for all their efforts.

Mayor George moved on to Item 9.

9. Resolution 19-01, to Amend Section XI.21 of the Personnel Manual Regarding Worker's Compensation (Presenter: Jim Wilson, City Attorney)

Mayor George introduced Item 9 and asked City Attorney Wilson for his report.

City Attorney Wilson advised that he changed the language of the resolution as requested.

Mayor George opened the Public Comments section. Being none, Mayor George asked for a motion.

**Motion:** to approve Resolution 19-01. **Moved by** Mayor George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor George moved on to Item 10.

10. Strategic Plan: Review of Suggested Procedures to Update (Presenter: Max Royle, City Manager)

Mayor George introduced Item 10 and asked City Manager Royle for his report.

City Manager Royle advised the current plan was developed four years ago and ask if the Commission would want to update it. He made suggestions to do it in house or do a Request for Proposal. He gave the Commission examples of six goals on page D and asked the Commission how they would like to start the process. He explained different ways that the Commission could discuss this topic.

Vice Mayor England complemented City Manager Royle on his suggested goals. She requested that staff flush the goals out a little more and advised that she was working on a Mission Statement for the City that she would share with the Commission at the August Commission meeting.

Mayor George asked to send the information to the SEPAC and the Comprehensive Planning and Zoning Board to get their insights on the matter.

Commissioner Samora suggested having a joint workshop with SEPAC and the Comprehensive Planning and Zoning Board.

City Manager Royle advised that he would like some guidelines before the meeting because some of the goals the City doesn't have the staff or the money to implement and would like goals that are achievable in the next five years.

Vice Mayor England agreed with City Manager Royle and asked to flush the goals out a little bit more in order to achieve goals within five years. She gave her suggestions regarding what she would like on the Mission Statement for the City.

It was the consensus of the Commission to bring this item back in August and to distribute a draft of the Mission Statement by email, without comment, to the Commission before the August meeting.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked to put a resolution regarding LGBT Pride on the June 17, 2019 Commission meeting and to fly the rainbow flag during the month of June. He requested having transition and secession planning as one of the goals.

Mayor George asked Mr. Slavin to send her a draft resolution so she could support it.

Mayor George closed the Public Comments section and asked for Commission discussion. Being none, Mayor George asked for a consensus from the Commission.

### XIII. NEW BUSINESS

#### 13. Florida League of Cities Annual Conference: Selection of City's Voting Delegate (Presenter: Max Royle, City Manager)

Mayor George introduced Item 13 and asked City Manager Royle to give his report.

City Manager Royle advised that Vice Mayor England and he have attended in the past and the Commission has to approve a delegate for the City.

Discussion ensued regarding all the Commissioners attend if they want to and who would be the voting delegate.

Commissioner Kostka wants to go.

It was the consensus of the Commission to have Vice Mayor England to be the voting delegate.

Mayor George moved on to Item 14.

#### 14. TV Broadcasting: (Presenter: Mayor George)

Mayor George advised that she brought this subject up yesterday because she has been so many complaints that the public because the City is not broadcasting the meetings.

Commissioner Kostka suggested contacting Full Sail University for the City's broadcasting and the system had we consulted them.

City Manager Royle advised that staff has gone out for a Request for Proposals for the service for TV broadcasting captioning service and the bids will be opened on June 17, 2019 and then staff will bring to the Commission the recommendation of a company on July 1, 2019 and would possibly be installed by August 5<sup>th</sup> meeting.

Discussion ensued regarding giving the public DVDs of the meeting for free; having to give the public an ADA DVD in a reasonable amount of time; City Clerk sent a letter to the person with the ADA compliance issue and the City was compliant within two days; the City not having closed captioning equipment or service; minutes are ADA compliant on the webpage; ADA case law; requesting the ADA case law and ADA law; needing 95 percent accuracy for closed captioning; a reasonable amount of time to be responsible; and survey shows 60 percent of the residents don't watch the meetings.

Mayor George opened the Public Comments section. The following addressed the Commission:

Ed Slavin, P.O. Box 3084, St. Augustine, FL, asked why the Commission were not told immediately about this problem and the public needs to see the meetings.

Mayor George closed the Public Comments section and asked what the Commission's consensus was.

It was the consensus of the Commission to wait until the July 1, 2019 Regular Commission meeting

### XIV. STAFF COMMENTS

Mayor George asked City Manager Royle for his staff comments.

City Manager Royle advised he had nothing more to report.

Building Official Law advised Panama Hatties and the Endless Summer Realty at the Shell Shack are progressing. He answered Commissioner Kostka's question regarding parking at restaurants being one parking space for three seats.

Public Works Director Tredik advised that the Mickler Ditch is progressing, and the clearing is almost done and being careful to remove as little vegetation at the back of the ditch in order to maintain the buffer on Mickler Boulevard. He advised that a portion of the pipes have been delivered and the project should be done by October 1<sup>st</sup>. He commented that Mizell pond is at 50% improvement rate and the consultant is close to getting the permit set to be able to send to the regulatory agencies. He explained that the temporary weir is in good shape. The Urban Forestry Management Plan is moving forward and will present their report on July 11<sup>th</sup> to the SEPAC and a final report in August. He advised that he is working on the lighting in the dark areas of the City with FPL and that the Public Works Department has 50% of the beach sand ready in case of a hurricane. He advised that he didn't want to order all the sand at once.

Police Chief Hardwick advised he had a meeting with the County's Road and Bridge Department and they asked if the City would like additional crosswalks on D Street and 9<sup>th</sup> Street, which they would fund. He explained that FPL is doing well with the lighting. He advised that he would not be here for the June 17<sup>th</sup> Commission meeting but explained that he has worked on the budget right after the last budget was approved. He explained that upgrades this year were computers and that he was getting ready for accreditation for next year.

City Attorney Wilson advised there was a final hearing for Embassy Suites and he did not feel that it was a legally sufficient motion and he didn't think the judge did either. He advised that he would let the Commission know what transpires as he hears about it.

Commissioner Kostka advised that she went to New Orleans for pleasure but did meet with a New Orleans Commissioner who explained that they have similar issues that our City has including transient rentals as many cities do in Florida. She commented that she went to the levee and it was interesting because it is like the City's beach renourishment.

Mayor George advised that she went to DC and found Florida House, which is an embassy for Florida for any tourists going to Washington DC and was across the street from the Supreme Court. It was founded by a Governor and his wife in 1910 and Florida is the only state that has an embassy.

Mayor George moved on to Item XV.

XV. ADJOURNMENT

Mayor George asked for a motion to adjourn.

**Motion:** to adjourn. **Moved by** Mayor George, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor George adjourned the meeting at 7:51 p.m.

  
Undine C. George, Mayor

ATTEST:

Beverly Neuklatz

City Clerk