

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
June 9, 2003

The City Commission met in a formal session Monday, June 9, 2003, at 5:00 p.m. in The Alcazar Room at City Hall. The meeting was called to order by Mayor George Gardner, and the following were present:

1. Roll Call:

George Gardner, Mayor/City Commissioner
Susan Burk, City Commissioner
William Lennon, City Commissioner
Errol D. Jones, City Commissioner
Donald A. Crichlow, City Commissioner

William B. Harriss, City Manager
Jack E. Cubbedge, Assistant City Manager
James P. Wilson, City Attorney
Martha V. (Nell) Porter, City Clerk
Timothy A. Burchfield, Director, General Services
Mark Knight, Director, Planning and Building Department
Mark Litzinger, Director, Financial Services
Dr. William Adams, Director, Heritage Tourism
Paul Williamson, Director, Public Affairs
William H. Harding, Director, Public Works
John Regan, Director, Utilities
James Whitehouse, Staff Attorney
David Shoar, Chief of Police
James Owens, Fire Chief
Orfeo Paolini, Sound Technician
Karen Rogers, Recording Secretary

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Chaplain Ken Asplund, Living Water Ministries, presented the invocation, and Commissioner Lennon led the Pledge of Allegiance.

3. ADMINISTRATIVE ITEMS

3.A/ Modification of Agenda

Mr. Harriss said that the DOT had requested tabling Item 8.E., consideration of easement for the Bridge

of Lions, until after the public meeting scheduled for June 26th; therefore, the item would be on the agenda for July 14th.

3.B/ Approval of minutes

The minutes of the Regular City Commission meetings of May 12, 2003, continued meeting of May 19, 2003, and workshop meeting of May 7, 2003 were approved as presented.

4. General Public Presentation and Comments (3 minutes per presentation)

Colonel Ed Taylor, 3665 Crazy Horse Trail, presented a proclamation to the Mayor regarding the relationship between the City/County of Bedford, Virginia with the oldest City and their connection in regards to D-Day 1944.

Bradley K. Davis, 34 Bay View Drive, stated that he represented the neighborhood regarding the property located at 231 San Marco Avenue, and he read the petition in support of the development containing the following conditions:

- Egress/Ingress would be from San Marco Avenue and not Bay View Drive or any other residential Street
- The residential neighborhood abutting the Inn would be separated by a sight and sound barrier – masonry wall as high as law would allow to prevent intrusion and to protect the privacy of the neighborhood
- The masonry wall facing Bay View Drive shall be landscaped and maintained for aesthetic purposes

Mr. Davis stated that the petition represented 53 individuals that used Bay View Drive as their primary access to and from their residence. He said that the petition was the result of action taken during the previous Commission meeting, which allowed the use of Bay View Drive as an exit for 231 San Marco Avenue. He said that it was their understanding that in response to the petition adjustments had been made to the project eliminating entrance or exit on Bay View Drive. He said the neighborhood hoped the other concerns would be addressed by the property owner and the City. He extended his

thanks to the Commission, staff and the developer for assistance in the matter. He requested notification should there be any further development that would affect Bay View Drive.

Commissioner Crichlow stated that hopefully an agreement had been reached that satisfied the main concerns of the residents. He said parking had been moved out of the RG-1 zoning, exits on to Bay View Drive had been eliminated, a couple more trees had been saved, and the project would relieve the stormwater problems.

Josephine Elmore, 58 ML King, expressed concern regarding parking on M.L. King. She explained the situation and said that she had sought help without satisfaction; therefore, she was before the Commission requesting help. She said that the problem resulted from the rental properties that did not have parking, thereby forcing the tenants to park over the curb; therefore, the residents were not able to put their trash out for collection. She requested that signs be posted prohibiting vehicles from parking over the curb.

After a discussion it was determined that ultimately parking would be confined to one side of the street, which would alleviate the traffic problem, but it would not solve the trash collection problem for one side of the street, and the City would install signs that prohibited parking on the curb.

The following spoke in support of flying the Rainbow Flags from the Bridge of Lions:

- Reverend Ruth Jensen, 2905 CR 214
- Shari Silk, 33 Loring Street
- Patricia Marvin, 4980 Datil Pepper Road
- Elizabeth Popopetrou, 511 Tart Road
- Barbara Quinn, 511 Tart Road

- Jason Relph, 6310 Gomez Road
- Zac Addison, 4010 Grande vista Boulevard
- Marvel Hagen, 2913 N. 6th Street
- Sondra Best, 4230 Susan Street
- David Thundershield Queen, 16 Fountain of Youth Boulevard

The speakers spoke about the celebration of diversity and encouraged the Commission not to discriminate but to honor that diversity by allowing the Rainbow Flags to be flown from the bridge, and if not, create a clear policy regarding which flags would be flown on the bridge.

- David Ritchie, 22 Bay View Drive, spoke against the Rainbow Flags being flown from the Bridge of Lions

Commissioner Burk stated that the Commission had to take action as there was a deadline for the people who had an interest. She suggested that they could direct the City Manager to fly the Rainbow Flag, and they should set policy regarding the flying of flags on the bridge. She pointed out that the City had allowed flags to flown from Flagler College, the Lighthouse representing the Junior Service League, City Government, Menendez, and a commercial flag for Broward Yachts. She stated that under the circumstances she could not see how they could possibly turn down the request.

Commissioner Crichlow disagreed stating that if they allowed the Rainbow Flag, there would be more requests from every possible political cause. He said the Commission could not be in the position of turning one person down and accepting another. He suggested that they set policy acknowledging historic to St. Augustine related flags be flown on the bridge.

Commissioner Jones expressed concern, as he believed that policy should be in place. He said that previous practice might well dictate what they should do; however, he did not want to act in haste. He indicated that he wanted to think about the matter and open the topic for discussion and public hearing. He instructed the City Manager to begin developing policy for the Commissioner's review.

Commissioner Burk agreed that she was concerned about the consequences, but up until that time the City had allowed commercial enterprise to pay the City to fly their flag. Therefore, she said they could not turn down a legitimate request.

Commissioner Jones said the City Manager had decided to deny the Rainbow Flags, which may not have been a wise decision, but it was a policy decision. He noted that the City Manager was not elected by the people, and he was not prepared to suffer because of the City Manager's decision. He noted that he did not want to position the City for future lawsuits. He stated that he was not prepared to vote on the matter at that time.

Commissioner Lennon agreed and said that he thought the City had a policy regarding the flags. He pointed out that the City Manager worked for the Commission, and he had to make many decisions on a daily basis. He suggested bringing the matter to a public hearing.

Mr. Harriss stated that the issue was sensitive, and he was not surprised by the outcome. He said that historically his decision was based on policy that he carried forth from previous administrations, but had never raised the level to establishing written policy. He said the City had received many requests over the years regarding what

flags could be flown. He noted that the Broward flags were flown without the permission of the City Manager, the City was not paid for the privilege, and he had not been the City Manager at the time. He said that they had researched other cities and many had no policy. He said that Orlando did not fly the Rainbow Flag, although the City supported the Gay Rights Movement. He stated that there was never any intention of discrimination involved with the decision. He said that it had been the intention of the Commission for a long time to use a historical policy in regards to flags. He said to set policy based on that agenda item would set bad precedent.

Commissioner Jones thanked the speakers for bringing the need for policy to the forefront, and he suggested a workshop to discuss the matter.

Mayor Gardner stated that it would be unfair to make a decision without the full procedure, as the Commission had to respect the community. He requested that the City Manager prepare something for the Commission, and he questioned whether the Commission wanted to schedule a workshop.

Commissioner Crichlow interjected that a workshop was not necessary. He suggested that the matter be an agenda item including public comment during a future meeting.

Commissioner Jones suggested that they would need an ordinance regarding the matter.

Mr. Wilson said that a resolution would be sufficient.

Mr. Harriss stated that staff would provide the Commission with options.

Doe Minter, 14 Lockhart Lane, acknowledged the Commission and staff for assistance in organizing a scavenger hunt south of the Plaza.

Arthur Bates, 69 Washington Street, said that St. Mary's Church was being abused by vagrants. He said they were building fires around the church and using the grounds to sleep etc., and the problem was not improving. He requested that the police department increase their patrol of the area before the sanctuary was destroyed. He added that the St. Francis House was across the street from the church.

Commissioner Jones stated that he was aware of the problem and new signs had been installed. He noted that the St. Francis House had outgrown the facility lending to the problems for the church. He said that he had spoken with the County during the last Intergovernmental Meeting requesting their cooperation to relocate the facility, which would alleviate the problem for the church. He noted that the Chief of Police had heard Mr. Bates testimony; therefore, more attention would be paid to the situation.

5. PRESENTATIONS AND STAFF REPORTS.

(None Scheduled)

6. ITEMS BY CITY ATTORNEY

6.A/ Discussion concerning Richard Davis v. City.

Mr. Wilson stated that the City had gone to mediation on May 6, 2003 to discuss the issues and had reached the proposed agreement, which counsel would present to the Commission.

Sidney Ansbacher, 780 North Ponce de Leon Boulevard, explained that there had been an incomplete record on appeal and a conservation zone ordinance that was a special exception ordinance. He said that meant the applicant had to demonstrate compliance with the provisions of the ordinance, at which time the burden shifted to the City to address denial. He said there were provisions of the CZO that had not been addressed regarding habitat impact and the scenic vista, which was an ongoing point of contention. However, he said the only evidence expressly addressed was the boat and the size of the boat on the boatlift, which was the basis of the motion to deny 3/2. He said there was an argument where the application could have been properly denied, which was failure to meet the provisions of the conservation zone ordinance dealing with habitat. He said that in his opinion the ordinance could be amended to address parked boats in terms of size in a residential zone.

Mr. Ansbacher said that during the mediation they had arrived at additional conditions for the applicant to agree on that would make the use consistent with the neighborhood and meet the scenic vista issue. He said the applicant agreed to paint the boatlift to render it less evident from a distance and discontinue applying bottom paint, which was an environmental issue, stop commercial refueling, which was consistent with the oils and grease issue and provide evidence that there was no impact on the habitat, or no sea grass being affected by shading or otherwise. He added that it was their understanding that there was no sea grass in the location, but the appellant would provide evidence to the satisfaction of the Commission. He said that if the Commission agreed to the conditions there would be a mediated settlement, if not they would go before

Judge Traynor, and they could prevail because of the incomplete record. He pointed out that the current discussions involved settlement and could not be presented to the court in the future if the Commission denied at that time.

Commissioner Jones said that the appellant had agreed to the aforementioned conditions to comply; therefore, based on the recommendation of the attorney representing the City and the likelihood of a positive outcome he recommended settlement. He said the scenic vista matter might not be detailed enough to withstand challenge, and he did not want the City to go court.

Commissioner Crichlow questioned whether the mediation proposal would set any precedent for future boatlifts with boats of the size in question.

Mr. Ansbacher said that to definitively address the matter they should use the same language that was used in residential zoning related to vehicles, in other words define the exact maximum boat size allowed. He said that some people might claim vested rights, because they had purchased their property with the intent of putting a large boat on a lift, but that could be addressed at another time. He said that while the size of a boat was a significant issue it was tenuous under the City's Code.

Commissioner Crichlow questioned whether the scenic vista was an arguable point in the case.

Mr. Ansbacher said that if the applicant prevailed it would be, but the issue was not squarely facing the scenic vista. He explained that in law the general was controlled by the specific; therefore, if there was a scenic vista issue with a boat blocking the entire waterfront the matter

could be considered. He stated that in the code the only thing specific to vessel size was the capacity of the lift.

Commissioner Crichlow suggested that the case was not strong enough to find the definitive answer on scenic vistas.

Mr. Ansbacher suggested that it would be problematic, and if the City prevailed it would be because the CZO was a special exception ordinance with 14 criterions and three had not been met; moreover, those issues had not been expressly addressed by the PZB or the Commission. He suggested clarifying boat size in the code.

Commissioner Jones said that in fairness to the appellant they could not amend the terms of the motion, nor would such tact withstand challenge.

MOTION

Commissioner Burk MOVED to accept the settlement. Commissioner Jones SECONDED the motion.

Commissioner Lennon questioned the total attorney costs, and the response was \$3,600.

VOTE ON MOTION

**AYES: Burk, Jones, Crichlow,
Lennon, Gardner**

NAYES: None

MOTION CARRIED UNANIMOUSLY

Mayor Gardner recommended amending the code regarding boat size.

Mr. Wilson stated the PZB had been discussing the matter. He said he believed that under the right circumstances the scenic vista would be defensible if the testimony reflected it in the record.

Commissioner Crichlow noted that there was some interest on the state and regional level concerning scenic vistas that he would get to the City Attorney for review.

6.B/ Discussion concerning Marshall Burns v. City.

Michael Roper, Attorney for the City, explained that the lawsuit was a result of an incident that had occurred on November 16, 2001, when during the course of arresting Mr. Burns, outside of the club Christopher's, force was utilized and Mr. Burns was rendered a quadriplegic. He said that following the incident suit was filed against the City of St. Augustine and officers Jerry Whitehead and John Shepard. He said that considerable work had been done in respect to liability and damages. He said they had been negotiating and pursuant to the parameter they had arrived at a proposed settlement for the Commission's consideration, which they recommended in light of the evaluation for the case and recommendations concerning potential exposure in the case. ¹

Mr. Roper said that the terms of the case provided for a total settlement of \$2.5 million dollars. He said the payment schedule would be \$1 million dollars to be paid within the next 15 days by Coregis Insurance Company, the City would pay the sum of \$500,000 within 15 days, and the remaining \$1 million dollars would be paid in twenty equal quarterly payments of \$50,000 with the first payment on July 1, 2004, and ending April 1, 2009. He said that in consideration of payment of the aforementioned sum the plaintiff would execute a general release in favor of the City and police officers, the pending

¹ End of audio tape one

lawsuit would be dismissed without prejudice, and the settlement agreement reflected that the settlement was not an admission of liability on the part of the City or the officers, but an economic decision based on the potential exposure posed by the litigation in light of the plaintiff's injury. He requested that the Commission review, consider, and approve the settlement.

MOTION

Commissioner Lennon MOVED to approve the recommendation. Commissioner Burk SECONDED the motion.

VOTE ON MOTION

AYES: Lennon, Burk, Jones, Crichlow, Gardner

NAYES: None

MOTION CARRIED UNANIMOUSLY ²

7. BY CITY CLERK

(None Scheduled)

**8. ITEMS BY CITY MANAGER
(Includes Consent Agenda)**

8.A. Preview of upcoming Commission meetings.

8.B. Consideration of a request by the St. Augustine Sightseeing Trains to operate a Ghost Tour.

8.C. Consideration of contract for banking services.

8.D. Consideration of Tax Deed Sale relative to property located at 103 Chapin Street.

8.E. Consideration of Easements for the Bridge of Lion Construction. ³

² A brief recess from 6:37 until 6:56 p.m.

³ Tabled until July 14, 2003

MOTION

Commissioner Burk MOVED to approve Item 8.A. through 8.D. on the consent agenda. Commissioner Lennon SECONDED the motion.

Non Agenda Item

Commissioner Crichlow said that although it was unrelated he would like to have a discussion regarding the walking ghost tours. He said that he had received numerous complaints that the walking ghost tours stopping in front of residences late at night disturbed the citizen's privacy. He said that the tours were a good attraction; however, they were proving to be a problem to the residents; therefore, the Commission needed to attach parameters to the tours.

Commissioner Burk agreed that she had seen huge groups on the tours blocking traffic; therefore, she believed the Commission had to establish some policy.

Mr. Harriss suggested getting the owners of the tours together to give them the resident's feedback, and ask them what they could do. He said staff would write a resolution regarding the number of people on a tour, stopping locations, and how late the tours would be conducted. He noted that the tours had not been regulated to date.

Commissioner Crichlow said that he felt assured that something could be worked out without negatively affecting the ghost tours.

Mayor Gardner said that he had been asked why the City did not leave the public restrooms open at night for the ghost tours. He suggested that the City charge a fee to the ghost tour companies

for use of the restrooms at night and the related administrative expense. He requested that the City Manager report back to the Commission regarding the matter.

VOTE ON MOTION

**AYES: Burk, Lennon, Crichlow,
Jones, Gardner**

NAYES: None

MOTION CARRIED UNANIMOUSLY

8.F. Discussion concerning the lease renewal for the Lighthouse Park Restaurant.

Timothy A. Burchfield, Director, General Services, stated that during the past month he had been meeting with Mr. Michael Klipsch, the present lease holder for the Lighthouse Park Restaurant who wanted to renew his lease. He said that according to the current lease, section two, the terms allowed for a five year extension upon successful negotiation of the new lease terms. He said that in negotiations he had addressed legal matters that the City Attorney deemed necessary, and the four major changes were as follows:

- ❖ The rent would be increased from \$800 to \$1,800
- ❖ The annual renewal would be increased from \$600 to \$1,000
- ❖ The previous lease allowed for sublet, the new lease would not
- ❖ Insurance requirements were increased from \$100,000 per single individual and \$300,000 per occurrence to one million dollars aggregate

Mr. Burchfield stated that the other changes were minor and Mr. Klipsch was agreeable to all the terms.

Commissioner Jones recommended eliminating the five year renewal option and make the lease for five years only without that option, because he wanted the City to have the ability to terminate the lease without that potential obstacle.

MOTION

Commissioner Jones MOVED to eliminate the five year renewal option in the lease. Commissioner Lennon SECONDED the motion.

Michael Klipsch, 312 Anastasia Boulevard, stated that he was agreeable to Commissioners Jones amendment to the lease.

VOTE ON MOTION

**AYES: Jones, Lennon, Crichlow,
Burk**

NAYES: Gardner

MOTION CARRIED 4/1

Mayor Gardner stated that he had voted against the motion, because he had a lot of questions in regards to the lease and what the Commission would like the area to be. He said that he would prefer the subject went to a workshop.

Commissioner Burk said there were a lot of issues the Commission had discussed the last time the lease was renewed. She said there had been concerns, but they all seemed to have been addressed in the new lease, which was exactly what she had anticipated.

Commissioner Lennon agreed.

Commissioner Burk clarified that Mr. Klipsch was satisfied with the \$1,000 rent increase, willing to maintain the bait shop, make the restrooms open to the public, and use wooden tables, all of which was friendly to the environment.

Mr. Klipsch said that he would like to change the sign to say *family* restaurant and add *live bait*, after the pier construction was complete. He said that some of the boaters were not aware that he sold live bait; therefore, he would like to make that more apparent to the public.

Commissioner Jones questioned whether the establishment was a restaurant or snack bar.

Commissioner Crichlow said the lease stated that it was a snack bar, and it would not be operated as a formal restaurant. He stated that the City did not want to increase the intensity of use at the location. He said that if Mr. Klipsch was acceptable to those conditions it was fine, but the City did not want the use expanded, the number of seats increased or the hours of operation increased; moreover, the neighborhood dictated that need. He said that the City wanted him to have a successful snack bar and bait shop as the business had been historically. He clarified that it was City property, and the City could define how it was run. He suggested that currently the food service had exceeded the definition of a snack bar, and the City did not want the use expanded by any means.

Mayor Gardner questioned whether the lease contained any specific seating capacity for the snack bar, and the response was no.

Mr. Wilson noted that to expand the seating Mr. Klipsch would have to request permission and pay additional

impact fees; therefore, there was an established number of seats for the restaurant.

Commissioner Jones questioned the number of seats.

Mr. Burchfield replied that he was not certain the exact number, but the maximum number was seventy including the outdoor seating.

Commissioner Burk questioned whether Mr. Klipsch could add any more seating.

Mr. Klipsch said that before expanding the bait and tackle section, upon the Commissions' request, he had six more seats.

Mr. Burchfield stated that the negotiation for the lease included the restaurant remaining as it currently was; therefore, if the Commission was considering limiting the number of seats they should consider the square footage rate the City was charging.

A brief discussion revealed that the Commission was satisfied with the number of seats, they simply did not want the seating expanded.

Commissioner Crichlow stated that he did not want the hours of business to expand beyond 8:00 p.m. on weekends and 6:00 p.m. on week days.

Commissioner Jones noted that the lease allowed for flexibility during fishing tournaments.

A discussion resulted regarding the hours of operation considering the neighborhood, and it was determined that the hours of operation for the restaurant would be 7:00 a.m. until 8:00 p.m., and Mr. Klipsch could close early if he wished.

Mayor Gardner questioned whether Mr. Klipsch would be able to begin working the archeology program at the lighthouse into the restaurant operation.

Mr. Klipsch said there was the field behind the restaurant where something could be built.

Commissioner Jones stated that he was not certain what Mayor Gardner was asking.

Mayor Gardner said that he had taken issue with the five year extension option in the lease, because the lighthouse wanted to establish their archeology program in the Lighthouse Restaurant property, which would necessitate considerably reducing the seating for a snack bar.

Commissioner Jones stated that he did not believe that the Lighthouse was willing to share the facility and lease with Mr. Klipsch.

Mayor Gardner again questioned whether Mr. Klipsch thought he could work something out with the lighthouse.

Commissioner Jones stated that was not a fair question to ask of Mr. Klipsch. He said that the lighthouse was aware of Mr. Klipsch's rights to renew the lease, and the City had committed to the options five years earlier; therefore, any other suggestions were out of the realm of the Commission. He said that Mr. Klipsch was there to consider his lease with the Commission, he was working in cooperation with the lighthouse group, and the Commission should leave them alone.

MOTION

Commissioner Burk MOVED to further amend the lease to indicate that Mr. Klipsch would operate the business between the hours of 7:00 a.m. and 8:00 p.m., but he was allowed to close early. Commissioner Jones SECONDED the motion.

VOTE ON MOTION

**AYES: Burk, Jones, Crichlow,
Lennon, Gardner**

NAYES:

MOTION CARRIED UNANIMOUSLY

MOTION

Commissioner Burk MOVED to approve the lease as amended. Commissioner Jones SECONDED the motion.

A brief discussion followed and it was determined that Mr. Klipsch could not advertise the establishment as a family restaurant, but he could add *live bait* to his sign

VOTE ON MOTION

**AYES: Burk, Jones, Crichlow,
Lennon, Gardner**

NAYES:

MOTION CARRIED UNANIMOUSLY

Mr. Burchfield clarified that Mr. Klipsch could elect to close the business at his discretion.

Commissioner Crichlow pointed out that the bathrooms should be available for public use.

Commissioner Jones questioned whether he meant past 6:00 p.m.

Commissioner Crichlow pointed out that if Mr. Klipsch was ill and decided to close

at 2:00 p.m. there would be no public bathrooms for people using the pier, and the City had to provide restroom facilities for the recreation area.

Mr. Harriss stated that 6:00 p.m. would satisfy that requirement in most instances.

Commissioner Crichlow questioned whether the restroom facilities would be closed down if the restaurant closed at 3:00 p.m.

Commissioner Jones stated that Mr. Klipsch was not talking about closing that early, he was talking about closing at 6:00 p.m.

Commissioner Crichlow stated that the motion allowed Mr. Klipsch to close anytime he wanted.

Mr. Burchfield stated that Mr. Klipsch had meant closing early would be 6:00 p.m.

Commissioner Burk questioned whether they could reopen the motion and set early closing time at 6:00 p.m. on occasion.

MOTION

Commissioner Burk MOVED to add to the aforementioned motion that Mr. Klipsch could close the business no earlier than 6:00 p.m. and only occasionally. Commissioner Jones SECONDED the motion.

VOTE ON MOTION

**AYES: Burk, Jones, Crichlow,
Lennon, Gardner**

NAYES:

MOTION CARRIED UNANIMOUSLY

Non Agenda Item – Ponce Golf Course

Mr. Harriss said that to set up the CRA the City required three professional people and Mr. Halback was present to answer any questions from the Commission. He said they would need an attorney, a person to make the finding with Mr. Halback, and a real estate expert to provide the number of dollars and when those dollars would occur to satisfy the bond underwriters that the City had the ability to pay the bond back. He explained that he had not received the contracts until Friday and was unable to put the item on the agenda. He said that the City Attorney had not completed his review, but he wanted the Commission to be aware that the item would be on the next agenda.

Commissioner Jones questioned the time and cost in terms of commitment.

Mr. Harriss replied that the total for the three professionals would be \$36,000.

Commissioner Jones questioned whether the City had to make the commitment at that time, as he was leery about moving forward. He suggested that they needed more information before spending money.

Commissioner Burk agreed and stated that she would not vote in favor of anything that burdened the tax payers. She said that if they had to commit ad valorem taxes or general City funds for the golf course she would not vote for it. She said that if the City Manager could not figure a way to accomplish the task without risking taxpayer money she could not approve.

Commissioner Lennon agreed with Commissioner Burk.

Mayor Gardner also agreed and said that they were waiting for the final numbers on the project. He questioned when the City had to move on the CRA and when they would get the necessary figures to determine their direction.

Mr. Harriss said there were two funding sources, the Florida Communities Trust Grant that was due in Tallahassee the following day, which was completed and it looked promising for a grant in the amount of \$6.6 million dollars. He said the balance of the necessary funds would depend on what they were going to buy, and that amount had not been determined. He said the letter of intent and the agreement between the City and Mr. Stokes would determine the final amount.

Commissioner Burk questioned whether the grant was a matching grant.

Mr. Harriss replied that there were points if they matched certain levels, and the City had agreed to match certain portions to receive a higher number of points. He said that the CRA would have to be completed by December 31, 2003; therefore, they could theoretically begin the process in September. However, he said the City had to know the CRA was in place and unchallenged before committing to the letter of intent, which had a date time limit of October 31, 2003, which meant they needed to begin the CRA process no later than July in order to be completed by September.

Commissioner Jones stated that they needed a final dollar figure. He said that he had heard figures from \$20 million to \$30+ million dollars. He said that \$6.6 million dollars in grant funds meant that the City would be looking for a loan of approximately \$13 million dollars, and he felt leery about that.

Commissioner Burk stated that she stood firm that she would not commit taxpayer revenue for the property. She questioned whether it was a possibility.

Mr. Harriss stated that he had spoken with the underwriters and while the CRA was a great vehicle, the revenue stream was a difficult sell on the bond market and the interest rates on the revenue streams would be almost twice as much as another source of bonds. He said that generally the money could be used to pay the debt, but not necessarily all of it. He said it all depended on the price of the property.

Commissioner Jones said there were too many questions for the Commission to make a decision to move forward.

Mr. Harriss stated that the item would be on the next agenda; however, he was not certain that he would have any more information.

9. ITEMS BY MAYOR AND COMMISSIONERS

Commissioner Crichlow – VCB

Commissioner Crichlow stated that the VCB indicated that tourism was good, and the economy was looking rosy.

Commissioner Lennon – Ordinance 2003-16

Commissioner Lennon noted that he would have to leave the meeting at 8:00 p.m.; therefore, he requested amending Ordinance 2003-16 to read that *it shall be unlawful to operate a horse drawn carriage if failed to pay in 90-days* rather than canceling the permit.

Commissioner Burk suggested that they say *the permit shall be deemed suspended until payment received.*

Commissioner Burk – Son

Commissioner Burk reported that her son had graduated from law school.

Mayor Gardner – Announcements

Mayor Gardner reported that in June the National Trust Southern Office would present their Heritage Tourism Survey. The Spanish Night Watch would begin on June 21st, and June 27th would begin the reenactment of the security of the City which would take place on Friday and Saturday at 7:00 p.m.

Mr. Harriss reported that the DOT was conducting a public hearing for the Bridge of Lions approaches on June 26th.

Paul Williamson, Director, Public Affairs, reported that the 4th of July was on Friday and would kick-off a great weekend for the City. He said last years event would be duplicated with the addition of the Jacksonville Community Band playing in the Plaza on June 29th, July 3rd the Florida 13th Army National Guard Band would play and they would return on the 4th of July at 4:00 p.m. in the Public Market, followed by the All Star Orchestra in the Gazebo at 7:00 p.m., and the fireworks would begin at 9:30 p.m.

**10. APPEALS AND PUBLIC HEARINGS
(Not pertaining to ordinances and resolutions)**

(None Scheduled)

11. RESOLUTIONS AND ORDINANCES

11.A.1/ Consideration of Resolution 2003-08, authorizing the City Manager to execute a Florida Department of Transportation Reimbursement

Agreement relative to the Lions Statues.

Mr. Harriss said the FDOT was concerned for the welfare of the Lions guarding the Bridge of Lions, which were important symbols for the City. He said the FDOT would provide a stipend in the amount of \$40,000 for removal of the Lions and the City would conserve, protect and create molds of them during that time. He said that the Lions would be safely housed in one of the City buildings. He said the Resolution allowed the City to request reimbursement of the cost from the DOT.

MOTION

Commissioner Lennon MOVED that Resolution 2003-08 be approved. Commissioner Burk SECONDED the motion.

VOTE ON MOTION

**AYES: Lennon, Burk, Crichlow,
Jones, Gardner**

NAYES:

MOTION CARRIED UNANIMOUSLY

11.A.2/ Consideration of Resolution 2003-09, adopting the St. Johns County Conceptual Trail Plan Map as a locally designated trail system.

Mr. Harriss reported that the St. Johns County Conceptual Trail Plan Map indicated boating and hard surface trails throughout the County. He said that previously the City had not recognized the map, because there were not that many trails in the City with the exception of the boat and canoe trails. He said the recognition also provided ten points on the Florida Community Trust application.

MOTION

Commissioner Jones MOVED that Resolution 2003-09 be approved. Commissioner Burk SECONDED the motion.

VOTE ON MOTION

AYES: Jones, Burk, Crichlow, Lennon, Gardner

NAYES: None

MOTION CARRIED UNANIMOUSLY

11.B/ Ordinances – First Reading

11.B.1/ Introduction and consideration of Ordinance 2003-19, renaming Scott Street to Dr. R. B. Hayling Place.

Commissioner Jones stated that residents of the community had brought the subject of changing the street name to his attention. He said the neighborhood was preparing to celebrate the fortieth anniversary of the Civil Rights movement. He explained that Dr. R.B. Hayling had played a vital role during that time; therefore, the community felt that his commitment and service should be recognized. He added that the name Scott Street had no historical significance.

MOTION

Commissioner Burk MOVED to place Ordinance 2003-19 on first reading, read by title only and approved. Commissioner Lennon SECONDED the motion.

Mr. Wilson read the title as follows:

ORDINANCE NO. 2003-19

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, CREATING SECTION 22-161 OF THE CODE OF THE CITY OF ST. AUGUSTINE, TO PROVIDE FOR THE RENAMING OF SCOTT

STREET, IN AN AREA BOUNDED ON THE EAST BY ROLLINS AVENUE AND ON THE WEST BY SOUTH WHITNEY STREET, AS “DR. R.B. HAYLING PLACE”; PROVIDING FOR RESOLUTION OF CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Burk, Lennon, Jones, Crichlow, Gardner

NAYES: None

MOTION CARRIED UNANIMOUSLY

Commissioner Jones expressed appreciation for those in attendance to support the name change. He concluded that there would be a public hearing on the matter in two weeks.

Gerald Eubanks, 785 Viscaya Boulevard, stated that he was the chairman of the Committee of Commemoration for the Civil Rights Demonstrations, and he spoke in support of the name change. ⁴

11.B.2/ Introduction and consideration of Ordinance 2003-21, rezoning property located at the intersection of Cedar Street and M.L. King to Planned Unit Development (PUD).

William T. Abare Jr., President, Flagler College, stated that the ordinance was to approve a PUD for a 90 bed apartment style facility that would meet the building code. He said that after discussions with the neighbors the College decided there was a possibility of changing the project to a dormitory facility that would provide a 104 bed men’s dormitory with 46 on-site parking spaces and 55 off-site parking spaces. He said the College had

⁴ Commissioner Lennon departed at 7:58 p.m.

made an agreement to sell one neighbor that was immediately affected by the project, a 15-foot strip of land to provide an additional buffer.

Commissioner Burk questioned whether all the neighbors approved of the current plan.

Mr. Abare replied that he could not speak for all the neighbors, but the most affected neighbor was satisfied.

Mayor Gardner noted that the off-site parking would be shared with residents of the women's dormitory. He said the new facility could accommodate 104 residents, but the college was providing 101 parking spaces. He questioned whether the college determined that not all the students would be driving cars.

Mr. Abare said the college had conducted an informal survey of their parking decals and found that roughly 60% of the boarding students had registered automobiles. He noted that there was no guarantee that all the students registered their cars in the state.

Commissioner Jones questioned where the students living in Ponce Hall currently parked their automobiles. He asked what the actual number of students were that comprised 60%.

Mr. Abare said the students parked in the Keenan Hall parking lot and behind the auditorium. He said that the current number of boarding students was 752.

Commissioner Crichlow questioned whether the plans were to exceed the 35-foot height limitation.

Mr. Abare replied that the plans did not exceed 35-feet.

Commissioner Crichlow said it seemed as though every time something did not fit into a zoning category it became a PUD. He said that originally a PUD was intended for projects of 10 acres or more; however, the City had approved projects that were much smaller. He questioned where the City was headed with those exceptions, as the City had set certain standards, but then overrode those standards by using PUD's.

Mark Knight, Director, Planning and Building Department, replied that normally the City would not suggest a PUD for a project less than 10 acres. He said the current project had applied for a use by exception for off-site parking to accommodate the dormitory but the application failed at the PZB level. He said that the applicant had researched other alternatives, but the college had another dorm that had been approved as a PUD; therefore, the college had decided to try a PUD rather than an exception for off-site parking.

Mayor Gardner noted that there was no site plan included with the item.

Mr. Knight said that the college had turned in a site plan with some general rendering identifying a 30-foot tall dormitory, as they were prohibited from going above 35-feet high under the Comp Plan. He stated that there were no renderings presented with the PUD.

Commissioner Crichlow noted that it was the authority of the PZB to review the site plan, but there was a description in the agenda packet.

Mayor Gardner agreed with Commissioner Crichlow regarding the use of PUD's, as they were becoming a convenience to get around zoning.

Mr. Knight said that there had been three PUD's granted in the past five years that were less than 10 acres.

Commissioner Crichlow said that he had read over the PUD guidelines, and he believed that the Commission would be watching the applications closely, as they did not want the guidelines to be abused.

MOTION

Commissioner Jones MOVED to place Ordinance 2003-21 on first reading, read by title only and approved. Commissioner Crichlow SECONDED the motion.

Mr. Wilson read the title as follows:
ORDINANCE NO. 2003-21

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, ESTABLISHING THE FLAGLER COLLEGE MEN'S RESIDENCE DORM PLANNED UNIT DEVELOPMENT PURSUANT TO SECTION 28-289 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR TERMS AND CONDITIONS OF THE PUD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Gardner said that using a PUD for convenience rather than creative thinking bothered him. He said that he was not satisfied that the college had gotten anywhere solving the student parking problem, but at the same time they wanted the City to grant a PUD.

Commissioner Crichlow agreed stating that basically the college was bringing 40 more cars into the space.

Mayor Gardner stated that the college had as many as 1,800 student and faculty cars in the City, but the college had 400 parking spaces. He said that

President Abare had pledged to work on the parking situation. He suggested that the City would like to see some action as soon as possible.

Commissioner Burk pointed out that was another subject.

VOTE ON MOTION

AYES: Jones, Crichlow, Burk, Gardner

NAYES: None

MOTION CARRIED UNANIMOUSLY

11.C/ Ordinances - First Reading - Public Hearing

11.C.1/ Public Hearing - Ordinance 2003-17, amending the code relative to permitted uses or permitted uses by exception in a zoning category.

Mr. Harriss stated that the ordinance was unusual, as it changed the uses of the zoning categories and required a public hearing on first reading.

Mr. Knight explained that the ordinance touched a number of land development regulation issues. He said that a number of them were clean-up issues, such as references to the HP-6 zoning district, which no longer existed. He said that some of the bigger issues in the ordinance was the definition of a guest house, and the definition of a tattoo studio and providing for tattoo studios in the CM-2 zoning category. ⁵

Commissioner Crichlow said the ordinance limited adult book stores and tattoo studios to CM-2, which was basically US 1.

Mr. Knight replied also the north end of San Marco Avenue, and West King Street.

⁵ End of audio tape two

Mayor Gardner questioned how much of the north end of San Marco Avenue.

Mr. Knight replied that the CM-2 zoning started a couple of blocks south of May Street. He added that by making adult book stores a permitted use in CM-2 they would not be a permitted use in any of the other zoning categories.

Commissioner Jones questioned whether West King Street meant west of US 1 and the response was affirmative.

Mr. Knight continued that Bed and Breakfast establishments were not identified in a lot of the zoning districts, but tourist homes were. He said that the rest was clean-up.

A brief discussion ensued regarding the definition of adult book store, and it was determined that constitutionally they could not eliminate the use, and by providing zoning for the use the potential for one opening in any zone that allowed book stores would be eliminated.

Mayor Gardner opened the public hearing.

Laura Puckett, 38 Water Street, stated that she was opposed to the passage of the ordinance, because the CM-2 zoning districts abutted many residential districts and some residential areas were zoned CM-2. She said that she had procured a study conducted by a professor at the University of Florida concerning how counties could eliminate the activity. She stated that she was a member of the new neighborhood association, and the members could not believe that the item was on the agenda. She stated that the zoning category also allowed liquor stores, bars, and dance halls by exception, which meant that there could be a Café Erotica in the City.

Craig Barzso, 22 Water Street, stated that he was also a member of the new neighborhood association, and he spoke against zoning for adult bookstores. He noted some of the locations that the business would be allowed, and he urged the Commission to consider the ordinance seriously.

Joan Long, 33 San Carlos Avenue, advised that lumping such disparate items into one ordinance was not a good idea. She suggested pulling some of the controversial issues out of the ordinance.

Nadia Ramoutar, 25 Joiner Street, stated that it would be great to observe people unable to worm their way through loopholes, because the neighborhoods deserved to be protected. Mayor Gardner closed the public hearing.

Mr. Harriss noted that if they did not put the use in a category, adult book stores could go any place.

Commissioner Burk emphasized that if they did not open the forum somewhere then they opened the whole City.

MOTION

Commissioner Burk MOVED to change the zoning for the adult book and novelty stores to IW. Commissioner Jones SECONDED the motion.

Commissioner Jones noted that IW was in front of the Willie Galimore Center, and adding adult bookstores to the zoning was totally unacceptable to him.

Mr. Knight said that another option would be to make the businesses a use by exception in CM-2.

There was a brief discussion regarding the locations of the different zoning categories.

Mayor Gardner questioned whether the City Attorney was aware of the cities that had eliminated the use entirely.

Mr. Wilson stated that there probably were cities where the use was forbidden; however, the economics of those situations would not justify a lawsuit. He said that in most places where the matter was challenged the lawsuit went badly for the city. He said that the City had to consider all possibilities. He noted that the proposed ordinance had been drawn up for at least a year.

Commissioner Burk withdrew her motion and Commissioner Jones withdrew his second.

MOTION

Commissioner Burk MOVED to place Ordinance 2003-17 on first reading, read by title only and approved to provide the City Attorney time to further research the matter. Commissioner Jones SECONDED the motion.

Mr. Wilson read the title as follows:

ORDINANCE NO. 2003-17

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 28 OF THE CODE OF THE CITY OF ST. AUGUSTINE; AMENDING SECTION 28-2 TO DEFINE GUEST HOUSE AND TATTOO PARLOR, AND TO MODIFY THE DEFINITION OF COMPACT PARKING SPACE; AMENDING SECTIONS 28-163, 28-164, 28-184, 28-185 AND 28-206 TO ADD BED AND BREAKFASTS TO THE LISTS OF PERMITTED USES IN RG-1, RG-2, HP-2,

HP-3 AND CL-1 ZONING DISTRICTS; AMENDING SECTION 28-209 TO ADD TATTOO PARLOR OR STUDIO AND ADULT BOOKSTORE OR NOVELTY STORE TO THE LIST OF PERMITTED USES IN THE CM-2 ZONING DISTRICT; AMENDING SECTIONS 28-87 AND 28-189 TO ELIMINATE ANY REFERENCE TO THE HP-6 ZONING DISTRICT; AMENDING SECTION 28-373 TO ESTABLISH AN INDEPENDENT PARKING STANDARD FOR BED AND BREAKFASTS; AMENDING SECTIONS 28-141 AND 28-142 TO REFERENCE ALL APPROPRIATE ZONING DISTRICTS; AMENDING SECTION 28-187 TO REFERENCE APPROPRIATE CODE SECTIONS AND ESTABLISH MINIMUM YARD REQUIREMENTS IN THE HP-5 ZONING DISTRICT; AMENDING SECTION 28-370 TO INCORPORATE HANDICAP PARKING SPACE REQUIREMENTS OF THE FLORIDA BUILDING CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE

VOTE ON MOTION

AYES: Burk, Jones, Crichlow, Gardner

NAYES: None

MOTION CARRIED UNANIMOUSLY

11.D/ Ordinances - Second Reading - Public Hearing

11.D.1/ Public Hearing - Ordinance 2003-15, relating to utility deposits and utility service charges.

Mark Litzinger, Director, Financial Services, stated that the ordinance was a response to the City Commission's request to improve the utility deposits process. He said the ordinance would reward the new and existing utility customers; both residential and non-

residential for having or establishing good credit with the City by refunding the deposit or not requiring that customers pay a deposit. He said the approximate cost of the program was \$4,500 and it should be functioning within a couple of months.

Mayor Gardner opened the public hearing; however, there was no response.

MOTION

Commissioner Burk MOVED to place Ordinance 2003-15 on Second reading, read by title only and approved. Commissioner Jones SECONDED the motion.

Mr. Wilson read the title as follows:

ORDINANCE NO. 2003-15

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, REPEALING SECTION 26-54 OF THE CODE OF THE CITY OF ST. AUGUSTINE RELATING TO WATER AND WASTEWATER UTILITY DEPOSITS; CREATING SECTION 26-54 OF THE CODE OF THE CITY OF ST. AUGUSTINE RELATING TO WATER AND WASTEWATER UTILITY DEPOSITS; AMENDING SECTION 26-57 OF THE CODE OF THE CITY OF ST. AUGUSTINE RELATING TO WATER AND WASTEWATER UTILITY SERVICE CHARGES AND METER TESTS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE. ⁶

VOTE ON MOTION

AYES: Burk, Jones, Gardner

⁶ Commissioner Crichlow left the room briefly

NAYES: None

MOTION CARRIED UNANIMOUSLY

11.D.2/ Public Hearing - Ordinance 2003-16, relative to the certificate of health of animals for horse drawn carriages.

Mr. Litzinger said the ordinance was to better certify to the public that the horses in the horse and carriage industry were in good health. He explained that the veterinarian would work for and be paid by the City, and the permit holders would be required to reimburse the cost to the City.

Mayor Gardner opened the public hearing, but there was no response.

MOTION

Commissioner Burk MOVED to amend Ordinance 2003-16, to change the language at the top of page 202 from *be deemed cancelled to be deemed suspended.* Commissioner Jones SECONDED the motion.

VOTE ON MOTION

AYES: Burk, Jones, Crichlow, Gardner

NAYES: None

MOTION CARRIED UNANIMOUSLY

Mayor Gardner questioned whether the term permit referred to the entire operation or the individual horses.

Mr. Wilson replied that he believed that the intent was to apply to the individual horses.

Mr. Harriss said that the other side of the argument was that if the inspection had been made the City must be paid for the service; therefore, the permit should be suspended until payment was made.

A discussion resulted and it was determined that if an operation did not pay the City for inspections after ninety days all permits, therefore the business would be suspended.

Mayor Gardner reopened the public hearing.

Dave Chatterton, 466 Arricola Avenue, representing the St. Augustine Transfer Company, stated that he supported the ordinance 100%. He said that the inspection per horse was approximately \$200; therefore, if the inspection cost was not paid, suspension should be for one carriage.

Commission Jones stated that on the other side of the issue at the end of the ninety day period the business would be certain that the \$200 was paid in order to remain in business.

Mr. Chatterton stated that he appreciated all the concessions made in the ordinance by the Commission. He noted that the horse drawn permits were quite valuable.

MOTION

Commissioner Burk MOVED that Ordinance 2003-16, be placed on second reading, as amended, read by title only and approved. Commissioner Jones SECONDED the motion.

Mr. Wilson read the title as follows:

ORDINANCE NO. 2003-16

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 27-133 OF THE CODE OF THE CITY OF ST. AUGUSTINE RELATING TO CERTIFICATE OF HEALTH OF ANIMALS REQUIRED FOR OPERATION OF HORSE-DRAWN HACK OR CARRIAGE;

PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE

VOTE ON MOTION

AYES: Burk, Jones, Crichlow, Gardner

NAYES: None

MOTION CARRIED UNANIMOUSLY

11.D.3/ Public Hearing - of Ordinance 2003-18, increasing the salary of Commissioners.

Mayor Gardner opened the public hearing; however, there was no response.

Commissioner Burk stated that she had motioned to adjust the Commissioners salaries, and she had received letters and comments from citizen, a lot of them in favor of the increase and a lot of criticism as well. She said that she had also been asked why the Commission did not receive cost of living and merit increases; therefore, she had City Staff research what the Commission salaries would be if they received cost of living increases. She noted that she was not requesting that the cost of living increases be retroactive.

Mr. Harriss stated that staff had gone back to the Commissions salary in 1982 and calculated increases from that point forward.

Mr. Burchfield said that if the increases had been carried forwarded since 1982 the Commissioners Salaries would be \$12,200 and the Mayor's salary would be \$15,300.

Mayor Gardner said that he had already stated his position, and as far as he was

concerned he would rather have his salary remain as it was. He said that if the matter became divisive in the community it would hinder other efforts through time consumption.

Commissioner Burk questioned whether the Mayor was referring to the additional portion he received as Mayor or the initial portion as Commissioner and Mayor.

Mayor Gardner questioned whether the Mayor's salary was broken up that way.

Commissioner Burk stated that it had always been voted on separately.

Mr. Burchfield said that as proposed it could be seen as \$12,000 for a Commissioner and an additional \$4,000 for Mayor.

Mayor Gardner suggested leaving his salary at \$12,000.

Commissioner Burk stated that the proposed salary increase amounted to a general wage increase. She said the Commission had forgone those increases over the years, and she considered the increase fair.

Commissioner Crichlow stated that the Commission had not tried to slip the ordinance through by voting after midnight. He clarified that the Commission passed the ordinance on first reading to bring it to public hearing on second reading. He noted that he was in favor of the increase in order to open the positions to a broad spectrum of the citizens. He clarified that he was not suggesting a living wage, but a reasonable compensation to encourage people to run for the office, otherwise the position would be limited to retirees or people with a private source of income. He stated that the job of Commissioner

could cost a citizen anywhere from \$15,000 to \$20,000 annually, from his standpoint. He said that \$12,000 annual compensation might make the difference as to who would run for office. He said that he had received overwhelming support for the increase and others had suggested that a person should not run for office for the salary, but the salary could make a difference regarding who ran for office. He concluded that the job took a lot of time and energy and it should not be a financial sacrifice to the person interested in serving. He recommended amending the proposal to \$12,000 for Commissioners and \$16,000 for the Mayor to be effective at the beginning of the next fiscal year, and to allow an annual increase based on the average percentage increase for all employees so that the subject would not be a topic of discussion in the future. He added that the proposal would have to fit into the budget.

Commissioner Jones suggested that the entire Commission be present for the discussion, but he supported Commissioner Crichlow's proposal.

MOTION

Commissioner Jones MOVED to revert to the original recommendation made by staff that the Mayor receive \$16,000 and the Commission receive \$12,000 annually to become effective in the new fiscal year (October 1, 2003), and future increases would be based on the annual budget year and the general wage increase to employees. Commissioner Crichlow SECONDED the motion.

VOTE ON MOTION

**AYES: Jones, Crichlow, Burk,
Gardner**

NAYES: None

MOTION CARRIED UNANIMOUSLY

MOTION

Commissioner Crichlow MOVED that Ordinance 2003-18, as amended, be placed on second reading, read by title only and approved. Commissioner Burk SECONDED the motion.

Mr. Wilson read the title as follows:

ORDINANCE NO. 2003-18
AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 2-26 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO INCREASE THE SALARY OF COMMISSIONERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Crichlow, Burk, Jones, Gardner

NAYES: None

MOTION CARRIED UNANIMOUSLY

12.A. General Public Comments (5 minutes per individual).

(None)

12.B. Presentations (15 minutes per presentation.)

(None Scheduled)

13. Adjournment

There being no further business, the meeting was adjourned at 9:16 a.m. ⁷

MAYOR

CITY CLERK

⁷Transcribed by Karen Rogers, Recording Secretary