

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
June 24, 2002

The City Commission met in a formal session Monday, June, 2002, at 4:00 p.m. in the Alcazar meeting room at City Hall. The meeting was called to order by Mayor Mark Alexander, and the following were present:

1. Roll Call:

Mark Alexander, Mayor/City Commissioner
Raymond Connor, City Commissioner
Susan Burk, City Commissioner
William Lennon, City Commissioner
Henry F. Green III, City Commissioner

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
Paul Williamson, Director, Public Affairs
Dr. William Adams, Director, Heritage Tourism
John Regan, Director, Utilities
William H. Harding, Director, Public Works
David B. Shoar, Chief of Police
James Owens, Fire Chief
Orfeo Paolini, Sound Technician
Karen Rogers, Recording Secretary

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Tom Adams, First Church of the Nazarene, presented the invocation, and Commissioner Lennon led the Pledge of Allegiance.

3. ADMINISTRATIVE ITEMS

3.A/ Modification of Agenda

(None)

3.B/ Approval of Minutes

The minutes of the City Commission special meeting of June 10, 2002 were approved as presented.

4. PRESENTATIONS AND STAFF REPORTS.

4.A/ Recognition of The Woman's Exchange of St. Augustine.

Mayor Alexander stated that the Women's Exchange provided extensive service to the City of St. Augustine. He said Pena-Peck House would not be what it was without their time and effort. He read and presented a

proclamation to the members of the Women's Exchange with the assistance of the Commissioners.

4.B/ Presentation to the City by The Woman's Exchange of St. Augustine.

Mary Daniels stated that the Woman's Exchange was proud to be in partnership with the City for the past seventy years, and she presented the Commission with a signed and numbered print of the Pena-Peck House.

Margo Pope explained that Elizabeth Bessie White led the exchange and the City into the equally beneficial partnership in 1932. She introduced the attending members of the Women's Exchange stating that the success of the partnership between the City and Women's Exchange had been dependent on the leadership of the many women preceding those in attendance. She noted that part of the agreement with the City was that the Pena-Peck House was open for tours free of charge to the residents of St. Johns County.

Commissioner Lennon extended appreciation to the Women's Exchange.

4.C/ Presentation of the City of St. Augustine 2002 Citizenship Awards to St. Johns County high school graduates.

Mayor Alexander explained the history of the award stating that the increased number of new schools in the County had prohibited the Commissioners from attending the different schools award ceremonies; however, for time effectiveness he was pleased to present the awards during the City

Commission meeting. He and the Commissioners presented the following students with the City Commission Citizenship Awards:

- Jamie Weimer - St. Joseph Academy
- Jesse Parkhurst - St. Augustine High School
- Elise Kasmiry - Allen D. Nease High School

Mayor Alexander explained that the following students had received their award during the schools award ceremony:

- Amanda Willard - Florida School for the Deaf and Blind
- Mary Bocard - Florida School for the Deaf and Blind
- Jennifer Druse - Bartram Trail High School
- Marvin E. King Jr. - Pedro Menendez High School

5. ITEMS BY CITY ATTORNEY

(None Scheduled)

6. BY CITY CLERK

(None Scheduled)

7. ITEMS BY CITY MANAGER (Includes Consent Agenda)

7.A. Preview of upcoming Commission meetings.

7.B. Determination of legal sufficiency and acceptance of an application to appeal a Planning and Zoning Board decision relative to property located at 101 LaQuinta Place.

MOTION

Commissioner Green MOVED to approve items 7.A. through 7.B. on the Consent Agenda. The motion was SECONDED by Commissioner

**Connor and approved by
UNANIMOUS VOICE VOTE.**

7.C. Consideration of a Cost Share Agreement with the St. Johns River Water Management District regarding the Maria Sanchez Stormwater Conveyance System.

John Regan, Director, Utilities, displayed photographs of the City during flood situations. He stated that he was presenting an exciting project that was headed by City engineers Bill Mendez and Quoc Mai. He explained that the Water Management District had agreed to provide \$50,000 funding toward the Maria Sanchez Lake Project. He said the project was greater than indicated in the cost allocation, but they were beginning with phase one. He said the genesis of the project was in the 1995 Stormwater Master Plan, which generated the available funds.

Mr. Regan referred to the photographs depicting the flooding on Granada, Bridge, and Cordova Streets stating that the flooding problem could be solved. He said the master plan identified running large pipes down the aforementioned streets to solve the flooding area of the Maria Sanchez Lake basin, an 82 acre water shed that flowed into the lake. He referred to the photograph of the lake outlet, and explained that the nonfunctioning valves had corroded in a closed position, consequently the water flowed over the weir contributing to flooding from rainfall and tides.

Mr. Regan stated that phase one was threefold in that a new elevation would be established, pipelines rehabilitated along with additional pipelines of composite plastic and stainless steel machinery that could

be computer controlled. He explained that by operating the valves they could control the water surface of the lake by lowering the level of the lake at low tide to accommodate heavy rain, then closing the valves to keep the tidal flow out, thereby eliminating flooding. He said that if they lowered the water level in the lake six inches, all the existing pipes would drain 20-25% faster. He added that they also planned to increase the pipelines to further facilitate the water flow.

Mr. Regan said another component was to dredge the lake. He explained that the lake was essentially a treatment/retention unit, and there had been 4-6 feet of sediment trapped in the lake over decades. He said that by removing the sediment they increased the amount of retention time in the lake, and by controlling the valves they could cause the water to stay in the lake longer and improve the quality of the water that was discharged. He said that ultimately the project would also significantly improve the quality of the lake.

Mr. Regan stated that the agreement itself was a cost sharing agreement with a total value of \$115,200, of which the districts \$50,000 amounted to approximately 44% of the initial work. He said the resolution authorized the City Manager to sign the agreement, and the funding could be used for anything associated with the lake.

Mr. Regan concluded that the ultimate goals were as follows:

- Eliminate flooding
- Create an environmentally healthy lake, including a monitoring program

- Shoreline stabilization and Park amenities

Mr. Regan announced that they planned to have neighborhood meetings to explain the benefits of the project and aesthetically deal with shoreline stabilization. He concluded that it was probably the most scientifically complex project the City had embarked on when considering environmental protection issues.

Commissioner Connor stated that the neighbors had formed a Maria Sanchez group to meet with the City regarding the issue of cleaning up the lake. He asked Mr. Regan to expand on the other agencies involved in the project.

Mr. Regan replied that the process involved permitting with other government agencies. He said the Water Management District was currently considering the necessary permitting and provided public notice. He added that they would meet with the neighborhood to explain that process.

Commissioner Lennon expressed appreciation for Mr. Regan's efforts, as the project had been many years in progress. He questioned how the project would help the neighborhood. Mr. Regan responded that most significantly it would reduce and/or eliminate flooding.

Mayor Alexander questioned the proposed percentage of flood elimination.

Mr. Regan stated that they could never eliminate all the flooding due to the elevations; however, the goal was to eliminate 90-95% of normal weather flooding.

Commissioner Lennon stated that the erosion surrounding the lake had been a problem for the past five years. He questioned how Mr. Regan visualized solving that problem.

Mr. Regan replied that the decisions regarding the appropriate technology had not been made. He said the obvious solutions would be a timber wall, stone, grass, or membrane systems. He said that he was aware that the neighborhood was partial to a bulkhead system with wetland species in front. He said that shoreline stabilization was a key issue, and he intended to provide a solution in the near future.

Commissioner Lennon questioned when the project would commence.

Mr. Regan stated that they were currently deep into the permitting cycle. He said a report had been submitted, but there would be the process of further questioning and providing information. He said that actual construction was a function of the permitting process, but he hoped to begin some construction within 2-3 months.

Commissioner Burk expressed surprise that the neighbors preferred a bulkhead as opposed to a more natural shoreline.

Mr. Regan stated that he could not say the City endorsed the preference or that it was the preference of the entire neighborhood.

Commissioner Green questioned how long the project would take once it was initiated.

Mr. Regan replied that a project of such magnitude could easily take a year, as the next phase would be pipeline construction and reconstruction, therefore the total project would be extensive.

Commissioner Green congratulated staff for bringing the project to fruition.

MOTION

Commissioner Connor MOVED to approve the contract between the Water Management District and the City of St. Augustine. Commissioner Burk SECONDED the motion.

VOTE ON MOTION

AYES: Connor, Burk, Green, Lennon, Alexander

NAYES: None

MOTION CARRIED UNANIMOUSLY

8. ITEMS BY MAYOR AND COMMISSIONERS.

Commissioner Connor – New Library

Commissioner Connor congratulated the county and Mary Jane Little on the ground breaking for the new library in the south end of the county. He noted that it was predicted that the by the year 2020 there would be 35,000 people living in that area.

Commissioner Burk – Docks

Commissioner Burk noted that some of the Commissioners were interested in limiting the size of docks, therefore she planned to research the Commission's ability and authority to regulate such issues, and she would provide the results during a subsequent meeting.

Citizen Parking Permits

Commissioner Burk stated that she had been discussing with the City Manager the potential for providing parking decals for City residents as a courtesy and to attract residents downtown.

Mayor Alexander agreed with the Commissioner that it was a good idea, and he suggested looking at other cities with similar situations.

Commissioner Lennon noted that the Parking Committee was working on the same issue, especially for people living in the HP districts to allow them to park in front of their homes.

Mayor Alexander – Mary Peck House

Mayor Alexander questioned how the work on the Mary Peck House was progressing.

Mr. Cubbedge replied that the City had put out four bids for the purchase of the house; however, there had been no response. He said that after investigation it was realized that the cost of purchase, moving, and restoration of a two story house was prohibitive. He said that without bids the City could dispose of the house; however, they were still trying to find a buyer.

8.A/ Designation of a Commissioner to represent the City at the Intergovernmental Committee meetings.

After a brief discussion it was unanimously decided that Commissioner Green would represent the City at the Intergovernmental Committee meetings.

8.B/ Designation of a Commissioner to represent the City as a voting delegate at the Florida League of Cities Conference.

After a brief discussion Commissioner Connor volunteered, and the Commission unanimously decided that he would represent the City as a voting delegate at the Florida League of Cities Conference.

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

(None Scheduled)

10. RESOLUTIONS AND ORDINANCES (To include public hearing)

10.A/ Resolutions

10.A.1/ Consideration of Resolution 2002-08, authorizing the City Manager to sign the Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation.

Mr. Cubbedge explained that for many years the FDOT required local governments to operate and maintain signal lighted intersections on state roadways at the cities expense. He said that FDOT had decided to reimburse the local governments for those fees over a 5-year period. He said the City maintained approximately 20 of those intersections and could anticipate a reimbursement of approximately \$35,000 annually.

MOTION

Commissioner Lennon MOVED to approve Resolution 2002-08. Commissioner Burk SECONDED the motion.

VOTE ON MOTION

AYES: Lennon, Burk, Connor, Green, Alexander

NAYES: None

MOTION CARRIED UNANIMOUSLY

Commissioner Lennon questioned who operated the timing of the lighted intersections.

Mr. Cubbedge explained that the FDOT had controlled that operation; however, the Director of Public Works had recently taken over the program and was working on updating the frequency and timing. He suggested that the Commission would begin to notice the difference in synchronization.

10.B. Ordinances – First Reading

10.B.1/ Introduction and consideration of Ordinance 2002-09, amending the Home Depot Planned Unit Development.

Mark Knight, Director, Planning and Building Department, explained that Home Depot planned a 2000 square foot expansion on the front of the building for a tool rental facility. He said the PUD zoning had been approved in 1999, and Home Depot intended for the expansion to match the existing façade.

Commissioner Connor questioned how many parking spaces would be sacrificed for the expansion.

Mr. Knight replied that Home Depot would lose a couple of parking spaces, but they had an over abundance of parking for the store.

Commissioner Connor noted the advantage of a PUD.

MOTION

Commissioner Connor MOVED that Ordinance 2002-09 be placed on first reading, read by title only and approved. Commissioner Green SECONDED the motion.

Mr. Wilson read the title as follows:

ORDINANCE NO. 2002-09

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE HOME DEPOT PLANNED UNIT DEVELOPMENT (PUD) PURSUANT TO SECTION 28-289 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR MODIFICATION OF THE TERMS AND CONDITIONS OF THE PUD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

VOTE ON MOTION

AYES: Connor, Green, Burk, Lennon, Alexander

NAYES: None

MOTION CARRIED UNANIMOUSLY

10.B.2/ Introduction and consideration of Ordinance 2002-10, concerning a petition for voluntary annexation of property located at 1356 and 1360 South Dixie Highway.

Mr. Knight noted that the three ordinances were related to the same property. He explained that two lots and a portion of another had been annexed in 2001 and zoned for commercial medium intensity. He said the fourth lot had been added to develop the medical office on the corner with parking, therefore it was only a portion of lot eight that was

being annexed with the same zoning and land use.

Mayor Alexander questioned the exact location of the property.

Mr. Knight replied that the property was at the southeast corner of Arapho Avenue and South Dixie Highway just south of Winn Dixie.

MOTION

Commissioner Green MOVED that Ordinance 2002-10 be placed on first reading, read by title only and approved. Commissioner Connor SECONDED the motion.

Mr. Wilson read the title as follows:

ORDINANCE NO. 2002-10

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, ANNEXING APPROXIMATELY .06 ACRES OF PROPERTY IN ST. JOHNS COUNTY, FLORIDA, LYING SOUTH OF ARAP-AHO AVENUE AND WEST OF U.S. HWY. 1, AS DESCRIBED HEREIN; REDEFINING THE BOUNDARY LINES OF THE CITY OF ST. AUGUSTINE TO INCLUDE SAID PROPERTY; AMENDING SECTION 1.08 OF THE CHARTER LAWS OF THE CITY OF ST. AUGUSTINE, FLORIDA; PROVIDING FOR FILING OF A COPY HEREOF WITH THE CLERK OF THE CIRCUIT COURT OF ST. JOHNS COUNTY, FLORIDA, WITH THE CHIEF ADMINISTRATIVE OFFICER OF ST. JOHNS COUNTY, FLORIDA, AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

**AYES: Green, Connor, Burk,
Lennon, Alexander**

NAYES: None

MOTION CARRIED UNANIMOUSLY

10.B.3/ Introduction and consideration of Ordinance 2002-11, establishing a land use designation of Commercial Medium Intensity relative to property located at 1356 and 1360 South Dixie Highway.

MOTION

Commissioner Green MOVED that Ordinance 2002-11 be placed on first reading, read by title only and approved. Commissioner Connor SECONDED the motion.

Mr. Wilson read the title as follows:

ORDINANCE NO. 2002-11

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, ANNEXING APPROXIMATELY .06 ACRES OF PROPERTY IN ST. JOHNS COUNTY, FLORIDA, LYING SOUTH OF ARAPAHO AVENUE AND WEST OF U.S. HWY. 1, AS DESCRIBED HEREIN; REDEFINING THE BOUNDARY LINES OF THE CITY OF ST. AUGUSTINE TO INCLUDE SAID PROPERTY; AMENDING SECTION 1.08 OF THE CHARTER LAWS OF THE CITY OF ST. AUGUSTINE, FLORIDA; PROVIDING FOR FILING OF A COPY HEREOF WITH THE CLERK OF THE CIRCUIT COURT OF ST. JOHNS COUNTY, FLORIDA, WITH THE CHIEF ADMINISTRATIVE OFFICER OF ST. JOHNS COUNTY, FLORIDA, AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

**AYES: Green, Connor, Lennon,
Burk, Alexander**

NAYES: None

MOTION CARRIED UNANIMOUSLY

10.B.4/ Introduction and consideration of Ordinance 2002-12, establishing a zoning designation of Commercial Medium-Two (CM-2) relative to property located at 1356 and 1360 South Dixie Highway.

MOTION

Commissioner Green MOVED that Ordinance 2002-12 be placed on first reading, read by title only and approved. Commissioner Connor SECONDED the motion.

Mr. Wilson read the title as follows:

ORDINANCE NO. 2002-12

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, ESTABLISHING THE ZONING FOR PROPERTY CONTAINING APPROXIMATELY .06 ACRES LYING SOUTH OF ARAPAHO AVENUE AND WEST OF U.S. HWY. 1, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, TO THE CLASSIFICATION OF COMMERCIAL MEDIUM-TWO (CM-2); REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

**AYES: Green, Connor, Burk,
Lennon, Alexander**

NAYES: None

MOTION CARRIED UNANIMOUSLY

10.C. Ordinances - First Reading - Public Hearing required.

(None Scheduled)

**10.D. Ordinances – Second Reading
– Public Hearing Required.**

(None Scheduled)

11. GENERAL PUBLIC PRESENTATIONS AND COMMENTS (15 minutes per presentations)

(None Scheduled)

**12. MATTERS NOT ON THE AGENDA
(Items not addressed elsewhere on the agenda – three-minute time limit).**

B. J. Kalaidi, Newcomb Street, stated that an ordinance had been passed to prohibit hazardous material in residential neighborhoods of the City; however the ordinance did not address chemicals such as propane gas.

Ms. Kalaidi described several instances of propane trucks parked on Newcomb Street or left running with cylinders in the back. She described an incident of propane truck drivers releasing propane gas for no reason. She requested that the Commission direct those in charge of the security of the residents patrol Newcomb Street to prevent lives from being jeopardized, and write an ordinance to prohibit hazardous material in residential neighborhoods. She displayed eight photographs of the incidents she described.

Commissioner Lennon questioned whether Ms. Kalaidi had telephoned the Fire Department regarding the situation of releasing propane, and the response was negative.

Mayor Alexander questioned whether the cylinders were full.

Ms. Kalaidi stated that she had no idea, and questioned how it could be guaranteed that a cylinder in the back of a truck parked over night was empty. She said someone should be verifying and monitoring the area, because huge trucks were there more often.

Ms. Kalaidi requested that the Commissioner examine her request of 1997. She said the new ordinance dealt with weight issues, but she had requested by letter in 1998 that the City examine the problem of hazardous materials in the City. She stated that the nation had a serious problem and she wanted to bring a serious local situation to the Commissioners attention.

Mayor Alexander requested that Mr. Cubbedge and Mr. Wilson look into the law and inform the Commissioners. He suggested that Ms. Kalaidi telephone the Police Department and inform them of such situations to enable them to enforce the law.

Mr. Cubbedge stated that he would research the situation and inform the Commission at the subsequent meeting.

14. Adjournment

There being no further business, the meeting was adjourned at 5:27 p.m. ¹

MAYOR

CITY CLERK

¹ Transcribed by Karen Rogers, Recording Secretary