

## CITY OF ST. AUGUSTINE

Special City Commission Meeting  
September 7, 2006

The City Commission met in a formal session Thursday, September 07, 2006 at 5:05 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Gardner, and the following were present.

### **Roll Call:**

George Gardner, Mayor/City Commissioner  
Susan Burk, Vice Mayor/City Commissioner  
Joe Boles, City Commissioner  
Donald A. Crichlow, City Commissioner  
Errol D. Jones, City Commissioner

William B. Harriss, City Manager  
James P. Wilson, City Attorney  
Karen Rogers, City Clerk  
Timothy A. Burchfield, Chief Administrative Officer  
John Regan, Chief Operations Officer  
Mark Litzinger, City Comptroller  
Jim Piggott, General Services Director  
Bob Leetch, Director of Utilities and Public Works  
Mark Knight, Director, Planning and Building Department  
Robin Upchurch, Assistant City Attorney  
Paul K. Williamson, Director, Public Affairs  
Dr. William Adams, Director, Heritage Tourism  
Loran Lueders, Chief Police  
Jimmy Owens, Fire Chief  
Susan Goins, Recording Secretary

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### **2. Public Hearing – Resolution 2006-16, establishing the tentative millage rate for the FY 2006/2007 Budget**

Mark Litzinger, City Comptroller, stated that it was the first of two budget hearings as required by the Florida Department of Revenue. He said that on July 27, 2006 the Commission had adopted resolution 2006-14 approving the proposed millage rate of 6.6 mills for the 2006/2007 fiscal year. He stated that resolution 2006-16 established the tentative millage rate of 6.6 mills for the fiscal year 2006/2007. He said that it represented a 21.0765% increase over the roll back rate of 5.4511 mills. He said that it was the 12<sup>th</sup> consecutive year that the city

had retained the low millage rate. He stated that the increase in the ad valorem tax would fund eleven incremental positions, increased wages and benefits, increased operating expenditures and increased levels of services, as approved by the Commission.

Mayor Gardner opened the public hearing.

B.J. Kalaidi 8 Newcomb, referred to the following:

- FY 2006/2007 millage rate had not been reduced, although property values had increased

- Elected city officials and hired city employees and mis-used property taxes
- Elected city officials placed tax burdens on homeowners; however, not on commercial developers, which had led elected officials to write an ordinance placing additional fire tax on tax payers
- Property taxes should not be used to pay the water bills of city employees
- Requested the Commission reduce the millage rate 1/10 of a mil or \$163,719
- Requested that water, sewage and trash rates not be increased

Mayor Gardner closed the public hearing.

#### **MOTION**

**Commissioner Crichlow MOVED to adopt Resolution 2006-16 read in its entirety. The motion was SECONDED by Commissioner Burk.**

Mr. Wilson read the title as follows:

#### **RESOLUTION 2006-16**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE FLORIDA, ADOPTING THE TENTATIVE LEVY OF AD VALOREM TAXES FOR FISCAL YEAR 2006/2007.

**WHEREAS**, the City Commission of the City of St. Augustine, Florida, has conducted a public hearing on its tentative millage rate of 6.6000 mills and has determined its rolled back rate is 5.4511 mills, as required by Florida Statutes 200.065.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of St. Augustine, Florida, that:

1. The Fiscal Year 2006/2007 tentative millage rate of the City of St. Augustine, Florida, is 6.6000 mills,

which is greater than the rolled-back rate of 5.4511 mills by 21.0765 percent.

**ADOPTED** at special meeting of the City Commission of the City of St. Augustine, Florida, at 5:15 p.m., this 7<sup>th</sup> day of September, 2006.

#### **VOTE ON MOTION**

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

**NAYES:** None

**MOTION CARRIED UNANIMOUSLY**

#### **3. Public Hearing – Ordinance 2006-25, Proposed Budget for FY 2006/2007**

Peter Romano, 62 Sanford Street, referred to the following:

- Concern about the budget
- General fund should be used within city limits for residences and businesses that paid significantly more of the general fund
- Clean streets
- Safe sidewalks and infrastructure were essential to protect property values, heritage tourism and visitors

Barbara Williamson, 15 Montrano Avenue, referred to the following:

- It was difficult to maintain a house considering tax increases
- Requested the Commission make careful decisions regarding the budget

William E. Puckett, 108 Oglethorpe Blvd, referred to the following:

- Thanked the Commission for repaving the roads on Davis Shores
- Noted that Aviles street and St. George Street were in poor condition
- The city should perform temporary repairs for loose street bricks

Mr. Harriss responded that the city could repair the potholes, and he added that the city had contracted a brick laying company.

Mayor Gardner said that it was his understanding that money had been authorized for brick road repairs.

Mr. Harriss replied that there had been money allotted for road repairs; however, other priorities had taken precedence. He reiterated that there was funds for the work; they just had to get to the project.

Mayor Gardner questioned whether street repair work would be contracted out.

Mr. Harriss replied that certain utilities would be completed by the city; however, the brick repairs would be completed by contractors.

Dan Holiday, 11 Aviles Street, referred to the following:

- Repair of loose street bricks was inexpensive
- Wanted recognition for residents on the south side of the Plaza

Phil McDaniel, 51 Water Street, referred to the following:

- A large portion of residents' tax bill was dedicated to St. John's County for the school district and mosquito control etc.
- It had been difficult for the city to generate more revenue due to insurance increases
- The fact that the millage had been kept down was a credit to the City of St. Augustine
- Thanked the Commission for their work on Red Cox Park

Bill Leary, 28 East Park Avenue, referred to the following:

- Thanked the Commission for their focus on quality of life issues

including park improvements and extending the concert series

- The parking facility made the downtown area more accessible

Irene Arriola, 81 Magnolia Avenue, referred to the following:

- Citizens did not realize that the city's millage was less than 1/3 of the overall millage the citizens paid
- St. Augustine residents needed to hold the officials in St. John's County accountable

Mayor Gardner closed the public hearing.

## MOTION

**Commissioner Boles MOVED that Ordinance 2006-25 be read by title only and passed. The motion was SECONDED by Commissioner Burk.**

Mr. Wilson read the title as follows:

### ORDINANCE NO. 2006-25

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, RATIFYING, APPROVING AND ADOPTING THE ANNUAL BUDGET OR BUDGET ESTIMATES OF REVENUES AND EXPENDITURES FOR THE CITY OF ST. AUGUSTINE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND ENDING SEPTEMBER 30, 2007; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Gardner responded to public comments. He stated that the reduction of millage on the priority list was 1/10 of a mill or \$163,719, which would only apply to reduction in millage. He pointed out that it would equate to a \$10 reduction per \$100,000 of assessed evaluation on the tax bill. He said that the Commission had chosen to focus on quality of life

improvements. He stated that the utility department was an enterprise fund that collected fees and used them to take care of expenses and improvements such as water treatment and the waste water facilities. He stated that the increases amounted to impact fees that would be applied to developers of areas outside city limits that the city serviced. He stated that the water service customers in the city were not paying for those expansions, and he added that the \$1.7 million revenues went back into utility improvements for the city.

Commissioner Jones referred to the following:

- Services and improvements cost money and raised taxes
- Major part of city funds were associated with city personnel, which increased yearly
- The city lost many employees because other cities paid more money
- Paying the water bills of employees was an incentive to continue working for the city
- The Commission had chosen to increase the fire assessment instead of increasing ad valorem taxes
- Instead of temporary repairs, the city needed to repair the infrastructure under the streets, then replace the streets
- He wanted \$10,000 allotted for police patrol in Lincolnville to decrease the drug problem

**VOTE ON MOTION<sup>1</sup>**

**AYES: Boles, Burk, Crichlow, Gardner**

**NAYES: None**

**MOTION CARRIED UNANIMOUSLY**

**4. Public Hearing - Resolution 2006-17, certifying the non-ad valorem assessment roll relative to the Fire Assessment Fee**

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<sup>1</sup> Commissioner Jones was absent during vote

Mr. Litzinger stated that resolution 2006-17 established the non-ad valorem fire assessment fee for the 2006/2007 fiscal year. He reported that the assessment was .4¢ per square foot, which provide fire protection for enclosed space.

Mayor Gardner opened the public hearing.

B.J. Kalaidi, 8 Newcomb Street, referred to the following:

- Opposed the .4¢ increase
- Everything on the priority list was east of Iberia Street except the proposed South Iberia Street Park for \$10,000

**MOTION**

**Commissioner Crichlow MOVED to adopt resolution 2006-17. The motion was SECONDED by Commissioner Burk.**

**VOTE ON MOTION**

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

**NAYES: None**

**MOTION CARRIED UNANIMOUSLY**

**5. Introduction and consideration of Ordinance 2006-26, concerning a utility rate adjustment**

Mr. Litzinger stated that ordinance 2006-26 modified sections 26-51, 26-54, 26-55 of the Code of the City of St. Augustine, adjusted the fees for deposits on fire hydrants and water meters, and adjusted the water and sewer rates for the fiscal year 2006/2007.

**MOTION**

**Commissioner Crichlow MOVED that Ordinance 2006-26 be placed on first reading, read by title only and approved. The motion was SECONDED by Commissioner Burk.**

Mr. Wilson read the title as follows:

ORDINANCE NO. 2006-26

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 26-51 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO SET WATER AND SEWER CONNECTION CHARGES FOR CUSTOMERS INSIDE AND OUTSIDE THE CITY LIMITS; AMENDING SECTION 26-54 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO SET THE DEPOSIT FOR HYDRANT METERS; AMENDING SECTION 26-55 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO SET THE MONTHLY WATER AND SEWER RATES FOR CUSTOMERS INSIDE AND OUTSIDE THE CITY LIMITS; 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:** Crichlow, Burk, Boles, Jones, Gardner

**NAYES:** None

**MOTION CARRIED UNANIMOUSLY**

**6. Introduction and consideration of Ordinance 2006-27, concerning a solid waste rate adjustment**

Mr. Litzinger summarized that ordinance 2006-27 modified section 30-10 of the Code of the City of St. Augustine adjusting the solid waste fee by 2%.

**MOTION**

**Commissioner Crichlow MOVED that Ordinance 2006-27 be placed on first reading, read by title only and passed. The motion was SECONDED by Commissioner Jones.**

Mr. Wilson read the title as follows:

ORDINANCE NO. 2006-27

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 30-10 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO SET THE MONTHLY SOLID WASTE RATES AND FEES FOR CUSTOMERS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE FOR THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

**VOTE ON MOTION**

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

**NAYES:** None

**MOTION CARRIED UNANIMOUSLY**

**7. Introduction and consideration of Ordinance 2006-28, concerning a parking find adjustment**

Mr. Litzinger summarized that ordinance 2006-28 modified section 24-31, 24-32, 24-34, 24-36, 24-37 of the code of the City of St. Augustine regarding parking fines.

**MOTION**

**Commissioner Jones MOVED that Ordinance 2006-28 be placed on first reading, read by title only and approved. The motion was SECONDED by Commissioner Burk.**

Mr. Wilson read the title as follows:

ORDINANCE NO. 2006-28

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 24-31 OF THE CODE OF THE CITY OF ST. AUGUSTINE RELATING TO PENALTIES FOR PARKING VIOLATIONS; AMENDING SECTION 24-32 RELATING TO PARKING TICKET CITATIONS; DELETING SECTION 24-34 RELATING TO EXEMPTION OF JURORS FROM PAYMENT OF PARKING VIOLATION PENALTY; DELETING SECTION 24-36 RE-

LATING TO EXEMPTION FOR JUROR  
PARKING; AMENDING SECTION 24-37  
RELATING TO IMMOBILIZING OF VEHI-  
CLES; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR INCLUSION IN THE  
CODE OF THE CITY OF ST. AUGUSTINE;  
AND PROVIDING AN EFFECTIVE DATE

**VOTE ON MOTION**

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

**NAYES: None**

**MOTION CARRIED UNANIMOUSLY**

**8. Adjournment**

There being no further business, the  
meeting was adjourned at 6:12 p.m.<sup>2</sup>

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MAYOR

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CITY CLERK

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<sup>2</sup> Recorded by Susan Goins