

CITY OF ST. AUGUSTINE

Regular City Commission Meeting  
February 11, 2008

The City Commission met in a formal session Monday, February 11, 2008 at 5:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Boles, and the following were present:

**Roll Call:**

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

Absent: Susan Burk, City Commissioner (Excused)

William B. Harriss, City Manager  
Ron Brown, City Attorney  
Karen Rogers, City Clerk  
Timothy A. Burchfield, Chief Administrative Officer  
John Regan, Chief Operations Officer  
Jim Piggott, General Services Director  
Mark Knight, Director, Planning and Building  
Mark Litzinger, City Comptroller  
Dr. William Adams, Director, Heritage Tourism  
Sam Lansdale, Deputy Director Public Works  
Paul K. Williamson, Director, Public Affairs  
Loran Lueders, Police Chief  
Mike Arnold, Fire Chief  
Susan Goins, Recording Secretary

---

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

Reverend Byron Hodges, St. Mary's Missionary Baptist Church, delivered the invocation, and Commissioner Jones led the Pledge of Allegiance.

**3. ADMINISTRATIVE ITEMS**

**3.A/ Modification of Agenda**

(None)

**3.B/ Approval of Minutes**

**MOTION**

**Commissioner Crichlow MOVED to approve the minutes of the regular meeting of January 28, 2008 as presented. The motion was SECONDED by Commissioner Gardner.**

**VOTE ON MOTION**

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

**NAYES: None**

**MOTION APPROVED UNANIMOUSLY**

**3.C.1/ Proclamations**

(None)

### **3.C.2/ Recognitions**

(None)

### **4. Appeals and Public Hearings (NOT PERTAINING TO ORDINANCES & RESOLUTIONS)**

(None Scheduled)

### **5./ Ordinances – Public Hearing Required - First Reading**

#### **5.A. Ordinances - First Reading**

(None)

#### **5.B./ Ordinances - Second Reading – Public Hearing**

##### **5.B.1/ Public Hearing – Second Reading - Ordinance 2008-01, amending the Future Land Use from Commercial Medium Intensity to Residential Low Density/Mixed Use relative to property at 311 and 333 South Ponce de Leon Boulevard.**

Mark Knight, Director, Planning and Building, explained that Ordinance 2008-01 amended the future land use from Commercial Medium Intensity to Residential Low Density/Mixed Use and Ordinance 2008-02 rezoned the property from Commercial Medium-two (CM-2) to a Planned Unit Development for the property located at 311 and 333 South Ponce de Leon Boulevard.

Ron Brown, City Attorney, suggested that the Commission combine the public hearings for Ordinance 2008-01 and 2008-02 considering they were interrelated.

John Bailey, Upchurch, Bailey and Upchurch, 780 North Ponce de Leon Boulevard, referred to the following:

- Displayed a diagram of the property<sup>1</sup>

<sup>1</sup> Attached to original minutes

- The property had been used for light industrial use and warehouses
- Agreed to downgrade the land use to Low Intensity/Residential
- If the Commission approved the PUD, the project would be locked into a hotel
- The project would increase the tax base
- If approved, would close on the property within 30 days

Alexander Samardzich, 812 North Fort Street, Bruce, Wisconsin, referred to the following:

- AmericInn Hotels were at the upper end of the market of Hamptons, Comfort Inns, County Inns and Suites
- Two room suites would be 500 square feet
- The hotel would target the upper echelon traveler and business client
- Project cost approximately \$13 to \$15 million
- The hotel would include a breakfast area, meeting rooms, exercise room, business center, whirlpool, and swimming pool

Truman Hull, Truman Hull Architects, 100 Yacht Club Road, St. Paul, Minnesota, referred to the following:

- Practicing since 1978
- Designed over 150 AmericInn Hotels and other brands
- Every AmericInn was built with masonry construction
- Re-designed the hotel based on comments from the PZB

Mayor Boles opened the public hearing.

Marshall Jones, 17 Avista Circle, referred to the following:

- Owner of property
- Beneficial to the city

David J. Marriotti, 349 County Road 13 South, referred to the following

- Owned property across from development
- The landscaping would improve the look of the city
- Property taxes would benefit the city

Ed Slavin, P.O. Box 3084, referred to the following:

- Requested a copy of the contract
- Conservation zone
- Destroying wetlands

Irene Xynides-Rincon, 337 South Ponce de Leon, referred to the following:

- Adjacent to the property
- Opposed to the PUD
- If the area was developed it should conform to the look of the historic district

Mayor Boles closed the public hearing.

Commissioner Crichlow expressed concern that considering their mass and size, the buildings were on the front property line. He said the parking lot could buffer the building setback. He suggested investigating the zoning; he added that he was aware others did not agree with him.

Commissioner Gardner said he believed that the lot setback was good and since the city was a pedestrian community all streets should be pedestrian oriented.

#### **MOTION**

**Commissioner Gardner MOVED to place Ordinance 2008-01 on second reading, read by title only and passed. The motion was SECONDED by Commissioner Jones.**

Mr. Brown read the title as follows:

#### **ORDINANCE NO. 2008-01**

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING THE CITY OF ST. AUGUSTINE COMPREHENSIVE PLAN, FUTURE LAND USE MAP, TO RECLASSIFY A PARCEL OF LAND CONTAINING APPROXIMATELY 2.25 ACRES LOCATED ON THE EAST SIDE OF SOUTH PONCE DE LEON BOULEVARD APPROXIMATELY 800 FEET SOUTH OF ITS INTERSECTION WITH KING STREET IN THE CITY OF ST. AUGUSTINE AND BEING MORE PARTICULARLY DESCRIBED HEREINAFTER FROM COMMERCIAL MEDIUM INTENSITY TO RESIDENTIAL LOW DENSITY/MIXED USE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND PROVISIONS OF COMPREHENSIVE PLAN; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

#### **VOTE ON MOTION**

**AYES: Gardner, Jones, Boles**

**NAYES: Crichlow**

**MOTION CARRIED 3/1**

**5.B.2/ Public Hearing - Ordinance 2008-02, establishing the Rivers View Hotel Planned Unit Development (PUD).**

#### **MOTION**

**Commissioner Gardner MOVED to place Ordinance 2008-02 on second reading, read by title only and approved. The motion was SECONDED by Commissioner Jones.**

Mr. Brown read the title as follows:

#### **ORDINANCE NO. 2008-02**

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, ESTABLISHING THE RIVERS VIEW HOTEL PLANNED UNIT DEVELOPMENT (PUD) PURSUANT TO SECTION 28-289 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR TERMS AND CONDITIONS OF

THE PUD; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

**VOTE ON MOTION**

**AYES: Gardner, Jones, Boles**

**NAYES: Crichlow**

**MOTION CARRIED 3/1**

**5.B.3/ Public Hearing - Second Reading - Ordinance 2008-05, renaming Saratoga Boulevard to Fort Mose Trail.**

William B. Harriss, City Manager, stated that the Fort Mose Committee had requested renaming Saratoga Boulevard to Fort Mose Trail to make the entry to Fort Mose easy to identify and to reflect history in the city.

Mayor Boles opened the public hearing.

David Nolan, 30 Park Terrace Drive, referred to the following:

- In favor of the name change
- Fort Mose would be easy to identify

Dwight Hines, 150 Nesmith Avenue, referred to the following:

- Supported the name change

Ed Slavin, P.O.Box 3084, referred to the following:

- In favor of the name change because it would honor the city's history

Gerdie Laws, 3818 Arrowhead Drive, referred to the following:

- Renaming the street to Fort Mose would be good for history

Mayor Boles closed the public hearing.

**MOTION**

**Commissioner Jones MOVED to place Ordinance 2008-05 on second reading, read by title only and approved. The motion was SECONDED by Commissioner Gardner.**

Mr. Brown read the title as follows:

**ORDINANCE NO. 2008-05**

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, CREATING SECTION 22-165 OF THE CODE OF THE CITY OF ST. AUGUSTINE, TO PROVIDE FOR THE RENAMING OF SARATOGA BOULEVARD AS "FORT MOSE TRAIL;" PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

**VOTE ON MOTION**

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

**NAYES: None**

**MOTION APPROVED UNANIMOUSLY**

**6.A/ General Public Comments (3 minutes per individual).**

Ted McLemore, 1 N. Trident Place, referred to the following:

- Parking during construction on the Bridge of Lions

Karen Rochelle, 1350 Riviera Street, referred to the following:

- Construction on the Bridge of Lions affecting parking for her business

Following a brief discussion it was determined that the Director of Public Affairs would discuss the matter with the FDOT and provide an update at the following City Commission meeting.

Ed Slavin, P.O. Box 3084, referred to the following:

- Illegal dumping
- Destruction of wetlands

Dwight Hines, 150 Nesmith Avenue, referred to the following:

- Consolidate city services

**6.B/ Presentations (15 minutes per presentation)**

(None)

**7. Ordinances and Resolutions - No Public Hearing**

**7.A.Ordinances – First Reading**

(None)

**7.B./ Resolutions**

(None)

**8. Staff Reports and Presentations**

(None)

**9. ITEMS BY CITY ATTORNEY**

Ron Brown, City Attorney, stated that the election primary would be August 26, and the qualifying dates would be noon June 16 until noon June 20. He added that early voting would be held August 13.

**10. ITEMS BY CITY CLERK**

**10.A/ Notification of Proclamations**

(None)

**11. ITEMS BY CITY MANAGER (Includes Consent Agenda**

**11.A/ Consent Agenda**

**11.A.1/ Preview of upcoming Commission Meetings.**

**11.A.2/ Consideration of Temporary Construction Easements with the Florida Department of Transportation.**

**11.A.3/ Approval of Additional Components to the Utility Capital Improvements Project.**

**11.A.4/ Approval of change order for the new Water Treatment Plant.**

Mr. Harriss read the consent agenda items.

**MOTION**

**Commissioner Crichlow MOVED to approve the consent agenda. The motion was SECONDED by Commissioner Jones.**

Commissioner Gardner asked for clarification on items 11.A.3. and 11.A.4.

John Regan, Chief Operations Officer, stated that staff had been working to execute a change order to provide additional capacity in the water treatment plant expansion. He explained that the change order would provide an additional skid with an additional million gallons which would help production capability through the new plant, take the flow off the older plant for maintenance reasons and provide additional redundancy and reliability. He said the projects in item 11.A.3. were mission critical projects within the capital improvement plan in utilities. He said that item 11.A.3. identified that the city could afford the change order for a better water treatment construction project and item 11.A.4. was authorization to negotiate and execute the two contract changes.

Mr. Harriss explained that item 11.A.2. was the beginning of the project for a traffic signal on Malaga and King Streets.

Mr. Regan stated that staff was working with the FDOT to address the street flooding at the intersection of King and Malaga Streets.

**VOTE ON MOTION**

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

**NAYES: None**

**MOTION APPROVED UNANIMOUSLY**

**11.B. Discussion Items**

Mr. Regan provided an update to the metering and parking program and referred to the following:

- December 2007 twelve pay station systems had been installed around the Plaza and the parking lot on Granada Street
- Educated customers with brochures and warning tickets
- Parking Ambassador educated the public
- Rate of \$1.50 per hour or 50¢ with pre-purchased park now card
- Metering system encouraged short term turnover
- Merchants reported more available parking spaces for customers
- Residential parking on two block segments on Saragossa Street had been well received
- Installation of fifteen pay stations on the bayfront from the Fort to St. Francis Street in spring 2008
- Replacement of single and double space meters for on street parking with new meters that would accept discounted parking cards
- As of February 11, 2008 the city had sold \$7,836 worth of prepaid discounted parking
- New marketing initiative at the garage to sell products and services including validation system and monthly cards for employees
- Revenue coming through machines generated \$43,517<sup>2</sup>

---

<sup>2</sup> End of tape 1

**Bike Week Parking**

Paul K. Williamson, Director, Public Affairs, questioned whether the Commission wanted to provide free designated parking spaces for motorcycles around the Plaza during bike week on February 29, 2008 through March 9, 2008.

Following a brief discussion there was Commission consensus to provide free designated parking for motorcycles during bike week.

**Boarded-Up Homes**

Mr. Knight stated that there was a list of boarded-up homes compiled by Code Enforcement in Lincolnville. He explained that staff had evaluated each property to determine significantly poor conditions. He said if the vacant structure was open to trespassers, the property owners were required to board up the home. He added that termite damage could render a home an unsafe structure. He stated that Code Enforcement would seek an abatement order and hire someone to fix the property and impose a lien for the amount of the cost in addition to a possible fine.

Mr. Brown stated that putting a lien on the property secured fines or payments to the city for abatement proceedings. He explained that the city could recover the cost by placing a lien on the property. He stressed that unless there was an unsafe condition, there was not a violation.

**12. ITEMS BY THE MAYOR AND COMMISSIONERS**

**Commissioner Gardner – Public Comments**

Commissioner Gardner thanked the public for their suggestions and input during the public comment period, and he discussed comments that had been provided by Ed Slavin.

Commissioner Crichlow – Water  
Management District

Commissioner Crichlow stated that on January 25, 2008 he had represented the city at the Northeast Florida Regional Water Supply Summit at World Golf Village to discuss the announcement by the St. Johns Water Management District of their intention to withdraw up to 260 million gallons of water per day from the St. Johns and Yahawaha River to provide water to several Central Florida counties. He stated that several counties had passed resolutions stating their opposition. He explained that the resolutions had indicated that the county/city further opposed any withdrawal of water daily without fully understanding the potential impacts on the rivers and tributaries. He said that some cities/counties were claiming ownership of the St. Johns River; however, it was state resource. He expressed concern of the long-term effects of the water removal.

Mr. Harriss suggested that the city monitor the situation and observe the direction of the Water Management District.

Following a discussion it was determined that Commissioner Crichlow would prepare a resolution.

**13. Adjournment**

There being no further business, the meeting was adjourned at 7:19 p.m.<sup>3</sup>

---

MAYOR

---

CITY CLERK, CMC

---

<sup>3</sup> Transcribed by Susan Goins