

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
March 9, 2009

The City Commission met in a formal session Monday, March 9, 2009 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
Errol Jones, Vice Mayor/City Commissioner
Donald Crichlow, City Commissioner
Leanna S. A. Freeman, City Commissioner
Nancy Sikes-Kline, City Commissioner

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Dr. David Rice, Ancient City Baptist Church, delivered the invocation, and Commissioner Jones led the Pledge of Allegiance.

3. ADMINISTRATIVE ITEMS

3.A/ Modification of Agenda

William B. Harriss, City Manager, reported that the application for item 4.A. regarding the appeal for a cell tower located at 20 Louise Street had been withdrawn.

3.B/ Approval of Minutes

MOTION

Commissioner Crichlow MOVED to approve the minutes of the regular meeting of February 23, 2009. The motion was SECONDED by Commissioner Jones and approved by UNANIMOUS VOICE VOTE.

3.C.1/ Proclamations

(None)

3.C.2/ Recognitions

(None)

4. Appeals and other Public Hearings

4.A./ Tabled - Appeal of a Planning and Zoning Board decision regarding property located at 20 Louise Street.

Application withdrawn.

5. Ordinances and Resolutions - Public Hearing Required

5.A/ Ordinances – First Reading

(None)

5.B/ Ordinances - Second Reading

5.B.1/ Public Hearing - Ordinance 2009-01, concerning a Petition for Voluntary Annexation of property located between Old Dixie Highway and U. S. 1.

Mark Knight, Director, Planning and Building, explained that Ordinance 2009-01 annexed property between US 1 and South Dixie Highway, 2009-05 vacated a small portion of roadway contained within the property, 2009-03 designated the future land use to Commercial Medium Intensity and 2009-04 established the CM-2 zoning classification. He displayed a diagram of the property.¹

Ron Brown, City Attorney, explained that Ordinances 2009-01, 2009-05, 2009-03 and 2009-04 were inter-related; therefore, the Commission could combine the public hearing. He pointed out that there must be a separate motion for each ordinance.

Mayor Boles opened the public hearing.

B.J. Kalaidi referred to the following:

- Against the annexation
- Commercial Medium Intensity and CM zoning opened the parcels to

the adult entertainment district classification and a homeless shelter/feeding facility

- Commercial use of the property would increase traffic on U.S.1
- Property owners annexed into the city to avoid county impact fees

Mayor Boles closed the public hearing.

MOTION

Commissioner Crichlow MOVED to place Ordinance 2009-01 on second reading, read by title only and passed. The motion was SECONDED by Commissioner Sikes-Kline.

Mr. Brown read the title as follows:

ORDINANCE NO. 2009-01

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA ANNEXING APPROXIMATELY 2.31 ACRES OF PROPERTY NOW LOCATED IN ST. JOHNS COUNTY, FLORIDA LYING BETWEEN OLD DIXIE HIGHWAY AND U.S. HIGHWAY 1 APPROXIMATELY 400 FEET SOUTH OF ARAPAHO AVENUE 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 FLORIDA DEPARTMENT OF STATE; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

¹ Attached to original minutes

VOTE ON MOTION

AYES: Crichlow, Sikes-Kline, Freeman,
Jones, Boles

NAYES: None

MOTION APPROVED UNANIMOUSLY

5.B.2/ Public Hearing - Ordinance 2009-05, concerning a Petition to Vacate a Portion of East Street, lying east of Henry Street.

MOTION

Commissioner Crichlow **MOVED** to place Ordinance 2009-05 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. 2009-05

AN ORDINANCE OF THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA VACATING, DISCONTINUING AND ABANDONING THAT CERTAIN PORTION OF EAST STREET LOCATED WITHIN THE CITY LIMITS OF ST. AUGUSTINE, FLORIDA AND MORE PARTICULARLY DESCRIBED HEREIN; 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: Crichlow, Jones, Sikes-Kline,
Freeman, Boles

NAYES: None

MOTION APPROVED UNANIMOUSLY

5.B.3/ Public Hearing - Ordinance 2009-03, establishing a Land Use Classification of Commercial Medium-Intensity for property located at U. S. 1 south of Arapaho Avenue.

Mr. Harriss stated that the Department of Community Affairs requested tabling Ordinances 2009-03 and 2009-04 until April 27, 2009 to review the city's Capital Improvements Element. He said the motion could include both ordinances.

MOTION

Commissioner Crichlow **MOVED** to table Ordinances 2009-03 and 2009-04 to the April 27, 2009 meeting. The motion was **SECONDED** by Commissioner Sikes-Kline.

VOTE ON MOTION

AYES: Crichlow, Sikes-Kline, Jones,
Freeman, Boles

NAYES: None

MOTION APPROVED UNANIMOUSLY

5.B.4/ Public Hearing - Ordinance 2009-04, establishing a Zoning Classification of Commercial Medium-Two relative to property located at U.S.1 south of Arapaho Avenue.

Tabled until April 27, 2009.

5.B.5/ Public Hearing - Ordinance 2009-07, amending the Police Officers' Retirement System regarding the Cost of Living Adjustment.

Timothy A. Burchfield, Chief Administrative Officer, explained that Ordinance 2009-07 clarified the Deferred Retirement Option Plan (DROP) participants' ability to receive a cost of living adjustment (COLA) on their pension. He pointed out that the modification had been an oversight when the ordinance was originally passed.

Mayor Boles opened the public hearing.

B.J. Kalaidi referred to the following:

- Retired DROP participants should not be eligible for cost of living adjustments, considering the city did not have the funds

- The city should not mirror the state's COLA
- Taxes should not benefit government employees after they resigned or retired

Mayor Boles closed the public hearing.

Mr. Burchfield clarified that the COLA was not guaranteed. He explained that DROP participants would receive the COLA as long as it did not cost the city additional funding above the stated actuarial amounts.

MOTION

Commissioner Freeman MOVED to place Ordinance 2009-07 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. 2009-05

AN ORDINANCE OF THE CITY OF ST AUGUSTINE, FLORIDA, AMENDING THE POLICE OFFICERS RETIREMENT SYSTEM; AMENDING PART I, ARTICLE X, SECTION 10.12 OF THE CODE OF ORDINANCES OF THE CITY OF ST. AUGUSTINE, CLARIFYING APPLICATION OF THE COST OF LIVING ADJUSTMENT; PROVIDING FOR CODIFICATION; PROVIDING A GENERAL REPEALER CLAUSE; PROVIDING A VALIDITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Freeman, Jones, Crichlow, Sikes-Kline, Boles

NAYES: None

MOTION APPROVED UNANIMOUSLY

5.B.6/ Public Hearing - Ordinance 2009-08, as amended, authorizing the Regulation of Wireless Telecommunication Facilities.

Mr. Knight explained that Ordinance 2009-08 provided criteria for wireless telecommunications facilities, and it was based on a tiered approach. He pointed out that the ordinance had been amended to correct the language and internal inconsistencies.

Mr. Brown stated that the object of the ordinance was to regulate cell towers without banning them completely. He added that cell towers were prohibited on designated historic registry structures.

Commissioner Sikes-Kline stated that she liked the ordinance and supported the tiered review process. She commended staff and the Planning and Zoning Board (PZB) for their hard work.

Mayor Boles opened the public hearing.

B.J. Kalaidi, referred to the following:

- The ordinance would destroy the quality of life and would not protect the citizens
- Spot zoning destroyed the Comprehensive Plan

Mayor Boles pointed out that the ordinance was regulatory.

Laura Belflower referred to the following:

- Representative of Verizon Wireless
- Worked with staff and PZB on the ordinance
- Supported the ordinance; although, there were a few minor issues
- Thanked staff for allowing her to be present

Ed Slavin, referred to the following:

- Questioned why only one Historic Preservation District was exempt
- Questioned why Lincolville had not been included in the exempt areas

- Questioned why special interest was aloud to write legislation
- Questioned whether funds had been given to the Verizon Wireless representative

Mayor Boles closed the public hearing.

Mr. Brown clarified that all five HP districts were covered by the ban.

Commissioner Jones stated that the city wanted to proceed with the ordinance, because a 160-foot tower had been requested, and because the city did not have an ordinance that provided criteria.

Commissioner Crichlow stated that he was pleased that the city created a balanced ordinance, and he commended staff and PZB for their hard work.

Mr. Brown reiterated that the ordinance had been amended to clarify the language.

MOTION

Commissioner Crichlow MOVED to approve the amendment to Ordinance 2009-08. The motion was SECONDED by Commissioner Sikes-Kline.

VOTE ON MOTION

AYES: Crichlow, Sikes-Kline, Freeman, Jones, Boles

NAYES: None

MOTION APPROVED UNANIMOUSLY

MOTION

Commissioner Crichlow MOVED to place Ordinance 2009-08 on second reading, read by title only and passed as amended. The motion was SECONDED by Commissioner Sikes-Kline.

Mr. Brown read the title as follows:

ORDINANCE NO. 2009-08

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA CREATING THE WIRELESS TELECOMMUNICATIONS FACILITIES SITING ORDINANCE FOR THE CITY OF ST. AUGUSTINE; MAKING FINDINGS AS TO LEGISLATIVE INTENT; PROVIDING DEFINITIONS; IMPLEMENTING PROCEDURES REGARDING APPLICATION FOR AND GRANTING OF SPECIAL USE PERMITS FOR WIRELESS TELECOMMUNICATIONS FACILITIES; IMPLEMENTING REGULATIONS GOVERNING THE LOCATION OF WIRELESS TELECOMMUNICATIONS FACILITIES, THE SHARED USE OF WIRELESS TELECOMMUNICATIONS FACILITIES AND THE HEIGHT OF TELECOMMUNICATIONS TOWERS; 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: Crichlow, Sikes-Kline, Jones, Freeman, Boles

NAYES: None

MOTION APPROVED UNANIMOUSLY

Commissioner Sikes-Kline questioned whether the public could film during meetings in the Alcazar Room.

Mr. Brown replied that filming was not prohibited as long as it would not interfere with business. He added that filming directly in front of the room required advanced staff notice.

5.C/. Resolutions

(None)

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

Ed Slavin referred to the following:

- First amendment values

- Commission abused its power by limiting public speaking at meetings and adopting discriminatory ordinances
- Only government flags were allowed on the Bridge of Lions
- Former Mayor was paid \$1,200 each month to write the city newsletter

Helen Toby referred to the following:

- Thanked Chief Lueders for his hard work
- Mr. Burchfield assisted her with obtaining water and electricity for her apartment
- Volunteered to assist the homeless in the city

Ron Zamora referred to the following:

- Earth Hour would be observed around the world, Saturday, March 28, 2009 at 8:30 P.M.
- Requested that the city participate and consider adopting a resolution for Earth Hour
- Provided a resolution²
- Spoke against ordinance 2009-09
- Individuals had the right to hold signs at the intersection of U.S.1 and State Road 207 considering it was covered under the First Amendment

BJ Kalaidi referred to the following:

- Freeze travel expense accounts for elected officials, staff and board members
- The city should not spend \$122,000 on Heritage Tourism signage when University of Florida was taking over the buildings
- Eliminate signs over the sidewalks on U.S.1

² Attached to original minutes

- Accidents had increased on U.S.1 due to confusing signage

J.D. Pleasant referred to the following:

- First Amendment rights
- Lack of parking discouraged people from going downtown
- Property values in the city had depreciated
- The artists should be allowed in the Plaza
- Trains ran on time
- Streets in Davis Shores were smooth

Steve O'Brien referred to the following:

- Freedom of speech and worship
- Commission was oppressive
- Musicians should be allowed to perform on the streets

Roger Jolly referred to the following:

- Commission continued to adopt unconstitutional ordinances
- Civil wrong doing
- City enforced selective ordinances
- Requested that the Commission take a new direction

Judith Seraphin referred to the following:

- Artists provided excitement, charm and vitality to European cities
- Tourists stayed longer when entertained
- Artists were an asset to St. George Street, because they encouraged tourist to walk around the area
- City spent over \$100,000 in taxes to fight artists
- The city should encourage tourism
- Commission should consider allowing artists back on St. George Street³

³Brief recess 6:08P.M. to 6:20 P.M.

6.B/ Presentations (15 minutes per presentation)

(None)

7. Resolutions and Ordinances- No Public Hearing Required

7.A/ Ordinances – First Reading

7.A.1/ Introduction and consideration of Ordinance 2009-09, amending the City Code Prohibiting Sales and Solicitations in Traffic Lanes.

Carlos E. Mendoza, Assistant City Attorney, stated that solicitation on the median at the intersection of US 1 and State Road 207 caused traffic congestion. He explained that during a red light people wondered into traffic to consummate their transaction; however, when the light turned green the situation caused a halt in traffic and safety concerns. He said the ordinance amended the City Code prohibiting solicitation within 100-feet of the US 1 and SR 207 intersection. He pointed out that the concern would limit traffic congestion at the intersection and not the type of speech.

Commissioner Jones stated that the ordinance was on first reading, which was the first step in the process to bring the ordinance to second reading and public hearing, at which time the public would have the opportunity to speak for or against the ordinance.

MOTION

Commissioner Jones MOVED to place Ordinance 2009-09 on first reading, read by title only and passed. The motion was SECONDED by Commissioner Freeman.

Mr. Brown read the title as follows:

ORDINANCE NO. 2009-09

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 24-14 OF THE CODE OF THE CITY OF ST. AUGUSTINE PROHIBITING SALES AND SOLICITATIONS IN TRAFFIC LANES; ENLARGING THE AREA OF PROHIBITION TO INCLUDE THE RIGHT-OF-WAY OF STATE ROAD 207 FOR 100 FEET WEST OF THE RIGHT-OF-WAY OF U.S. HIGHWAY 1; MAKING FINDINGS; PROVIDING FOR PENALTIES; 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, Freeman, Crichlow, Sikes-Kline, Boles

NAYES: None

MOTION APPROVED UNANIMOUSLY

7.B/ Resolutions

(None)

8. Staff Reports and Presentations

(None)

9. ITEMS BY CITY ATTORNEY

Ron Brown, City Attorney, explained that the city had received a courtesy copy of a lawsuit filed in Federal District Court last week by four artists claiming that their First Amendment rights of expression had been discouraged by enforcement of the vending ordinance 22-6. He pointed out that ordinance 22-10 regulating street performers was not specifically a subject of the litigation. He said the street performers ordinance was valid law and had been upheld by federal courts up to the Eleventh Circuit Court of Appeal. He said the ordinance had recently been validated by a decision in Circuit Court citing to the same Eleventh Circuit Court of Appeal decision, which upheld its validity and

constitutionality; therefore, staff believed that the ordinances were valid. He pointed out that performances were allowed in the Plaza; however, vending, sales and solicitations were not. He added that staff had reviewed the litigation and identified appropriate strategies and tactics.

Commissioner Crichlow questioned whether the Commission should refrain from discussing the matter considering litigation, and the response was affirmative.

10. ITEMS BY CITY CLERK

10.A/ Notification of Proclamations

- 2009-06 - The Golden Jubilee, Plus IV

11. ITEMS BY CITY MANAGER (Includes Consent Agenda

11.A/ Consent Agenda

11.A.1/ Preview of upcoming Commission meetings.

11.A.2/ Approval of presenting the Order of La Florida Award to Frank D. and Elizabeth K. Usina.

11.A.3/ Notification of the award of the Certificate of Achievement for Excellence in Financial Reporting.

Mr. Harriss read the consent agenda items.

Commissioner Sikes-Kline referred to item 11.A.3. and stated that the certificate of achievement for excellence in financial reporting was indicative of the city's financial stability.

Mr. Harriss commended Mr. Burchfield, Mr. Litzinger and Ms. Breidenstein for their hard work.

MOTION

Commissioner Crichlow MOVED to approve the consent agenda. The motion was SECONDED by Commissioner Sikes-Kline and approved by UNANIMOUS VOICE VOTE.

11.B/ Discussion Items

(None)

11.B.1/ Heritage Tourism Signage Program

Mr. Knight explained that the goal of the Heritage Tourism Signage Program was to direct traffic to the Visitors Information Center (VIC) and away from downtown. He said the city collaborated with the Department of Transportation (DOT) to develop the project; however, there was a slight re-design due to cost. He stated that the proposal of final design and construction had three options. He said that option A indicated a sign in front of the Fort Administration Building from another funding source. He explained that after review of the cost estimates they believed the signs at the intersection of SR 207 and SR 312 and intersection of SR 312 and A1A were sufficient to get traffic to the VIC and the parking garage. He said the total cost for completion of the project ranged between \$480,257 and \$591,915, of which the final design cost ranged from \$99,925 and \$122,245.

Commissioner Crichlow questioned whether the city would receive funding from the DOT.

Mr. Knight replied that the city would receive \$100,000; however, they were waiting for the contract to be signed by the DOT. He added that they would use the money for the sign under option A.

Commissioner Crichlow stated that directing people to the parking facility was important. He concluded that the signs were tastefully done, functional and large enough to direct traffic.

Mr. Harriss commended Mr. Knight for his hard work on the project.

Mayor Boles explained that the signage program had been approved by a previous Commission as part of the total transportation plan and the money had been set aside in the project fund; therefore, the money was not coming out of the budget.

Commissioner Freeman questioned whether there would be directional signs at the intersection of US 1 and San Marco Avenue directing visitors to take US 1, as opposed to San Marco Avenue.

Mr. Knight replied that there was a sign directing visitors to San Marco Avenue that would be removed. He pointed out that visitors could stay on US 1, or if they used San Marco Avenue there would be a sign at Castillo Drive and San Marco Avenue directing them to the VIC.

Commissioner Freeman explained that visitors might be confused by the signage; therefore, she suggested some type of directional signage.

Mr. Harriss stated that although they needed more signage, there was only a certain amount of revenue, which became the priority.

Commissioner Freeman referred to the two signs before Castillo Drive and suggested adding a sign indicating *turn right at the next signal*. She pointed out that although there was only one way to turn, visitors were not familiar with the area.

Following a discussion it was determined that the city would add arrows to the proposed sign.

MOTION

Commissioner Jones MOVED to allow staff to proceed with the proposal for the Heritage Tourism Signage Project phase II with one change of including an arrow and using option A. The motion was SECONDED by Commissioner Crichlow.

VOTE ON MOTION

**AYES: Jones, Crichlow, Freeman,
Sikes-Kline, Boles**

NAYES: None

MOTION APPROVED UNANIMOUSLY

12. Items by Mayor and Commissioners

Mayor Boles – Discussions with Aviles, Spain Delegation

Mayor Boles provided a summary regarding discussions with the delegation from Aviles, Spain and referred to the following:

- Aviles, Spain proposed sending an artist to make two reproductions of the Pedro Menendez headboard; one would be taken back to Spain, and the city would lend one to the Catholic Diocese
- Aviles, Spain spent two years researching the exact plan for the ship Pedro Menendez sailed, and they would bring a replication of the ship for the city's 450th celebration
- Sports exchange including woman's volleyball and basketball
- Teacher exchange program to teach students about Spain and St. Augustine
- Aviles would host the re-enactment group *Men of Menendez* the following Easter
- The Spanish government had established constitutional monuments in every colony including St. Augustine, which was in the Plaza; however, the monarchy took power and ordered the monuments torn down

- The monument in the Plaza was the only one left in the world
- General Council of Spain brought Amelio Sanchez, head of the Spain Florida Foundation made up of 500 Spanish companies with 350 subsidiaries interested in educating the Spanish American population regarding St. Augustine and assisting to re-cooperate the heritage in St. Augustine and build stronger ties with Florida
- The aforementioned companies were interested in an economic impact plan for the city and asked that the city establish a business forum for Spain/St. Augustine
- Met with Santiago Cabanas from the Kingdom of Spain, Amelio Sanchez of the Spain Florida Foundation and Willie Johns from the Seminole Indians of Florida and showed them a drawing for an exhibition center with permanent displays, and they offered to co-finance the center
- The Seminole tribe wanted to partner with the city and have an office in the city
- Met with Father Willis and the Bishop and the Spanish contingent wanted to build their own museum to tell the story of the Christian and Catholic influence on Florida and the United States that began in St. Augustine
- Conference call with John Mica, Bill Proctor, the City Manager, Ed Popal from the University of Florida and Gordie Wilson from the Castillo
- \$950,000 start money for the interpretive center
- Interpretive Center that had been presented by the University of Florida plan was for a \$10 million interpretive center (\$5 million from state and \$5 million from the federal government); however, the original plan had been for a \$4.7 million facility

- Congressman Mica believed it would cost \$4.7 million, because he had not factored in the additional \$5 million from the state
- Congressman Mica said that if the city moved forward and funded the first \$950,000 they would get the rest of the \$4.5 million
- Met with Congressman Mica and General Burnett regarding the seawall and General Burnett wanted to extend the seawall to the front of the National Guard Building
- General Burnett believed that the city could receive funding for the project considering that it was a matter of homeland security

Mayor Boles stated that there was a plan involving \$40 million and their goal to involve the University of Florida. He said the legislature was in tough shape trying to divide the funding, and the city was still pursuing a 99 year lease to encourage corporate and private funding. He said it was exciting for him; however, the city needed someone to temporarily head up the 450th celebration to get things moving until the National Commission moved for funding for a permanent person. He clarified that neither he nor staff had the time. He stated that he had discussed the situation with the City Manager for weeks and finally discussed the matter with Dana Ste. Claire, who expressed genuine interest in the position. He noted that the city did not have the opportunity to enlist someone of his caliber often. He listed Mr. Ste. Claire's accomplishments as follows:

- Served on the Historic Preservation Advisory Council
- Heritage Tourism Council
- Department of State Florida Trust for Historic Preservation
- Volusia County Historic Preservation Advisory Board
- Had a degree in archeology
- Museum Designer
- National Director of Museum Services

- Professional Archeological Consultant
- Director of Old St. Augustine Village Museum
- Curator of History and Archeology

Mayor Boles recommended hiring Mr. Ste. Claire for an interim period to get things started. He said the city was doing fine; however, he expressed concern about falling behind.

Mayor Boles continued that he wished everyone could have attended the meeting, and he thanked the Commission for allowing him to represent them.

Commissioner Sikes-Kline also expressed concern that the city was falling behind with planning the 450th celebration. She said it was in disarray and people had varying ideas, and she agreed that it was time to appoint someone to the position.

Mr. Harriss agreed that there was no point person, and the federal government had lagged in providing the funding and resources; however, they worked slowly. He stated that city could not afford to wait. He said that he spoke to Mr. Ste. Claire and his involvement would be an unusual opportunity for the city. He concluded that if the Commission concurred they could name Mr. Ste. Claire as interim 450th Executive Director.

Commissioner Freeman questioned whether it was a paid full time position, and the response was affirmative. She questioned whether they were going to discuss the details.

Mayor Boles stated that the city would have to find the money to fund the position.

Commissioner Freeman questioned whether there was a job description and what they would be doing by approving the proposal at that time.

Mayor Boles replied that a working group had been formed, but they had not met, the county had hired a consultant to advise the city; however, he was not sure when the city would receive funding considering that the funding was stalled in the House. He recommended that the Commission direct the City Manager to hire someone.

Mr. Harriss stated that currently the proposed position was not in the budget, as they had been waiting for federal funding, but he agreed with the Mayor that they could not wait any longer. He stated that if the Commission concurred he would write the job description and continue with the hiring process. He said that ordinarily they would search for a qualified individual; however, they had a qualified individual in Mr. Ste. Claire.

Commissioner Crichlow stated that it was the time to proceed, and they should make the investment in the potential profit the celebration would be to the City. He expressed support for the position.

Commissioner Sikes-Kline further supported the proposal.

Commissioner Jones stated that the city needed to move forward, and when the economy improved, the city had to be ready. He stated that the city's commitment by stepping up to the plate first indicated that they were serious. He added the city would be fortunate to have Mr. Ste. Claire's communication skills, expertise and ability to get along with others while making contacts in the corporate, private and public sector; therefore, he supported the idea.

Mayor Boles questioned whether they needed a motion.

Mr. Harriss replied that he needed consensus. He said he did not believe that he needed a motion considering hiring was within his authority.

Commissioner Jones stated that the Commission did not approve the City Manager's staff, they approved the City Manager; therefore, if they did not like who he hired, they fired the City Manager.

Commissioner Crichlow – Conch House

Commissioner Crichlow stated that an article in The Record regarding Reggae Sunday's sounded as though they put the burden on the Commission for forcing the event on the community and overturning the Planning and Zoning Board (PZB) ruling. He pointed out that the Commission voted to move the Planned Unit Development (PUD) forward to second reading; however, the matter never went to second reading before the applicant withdrew the application. He said that if the Davis Shores residents had not made an overwhelming effort to deny the PUD, the Commission might have passed it. He said the PUD would have solved the problems with Reggae Sunday's and addressed parking and noise, which had been a burden to the community for many years. He said the PUD offered a solution and would have minimized the problems; however, the residents of Davis Shores would not concur. He said that evidently the residents preferred Reggae Sunday's to the proposed PUD. He reiterated that the Commission had not overturned the PZB ruling.

Commissioner Sikes-Kline – Ribbon Cutting Ceremony

Commissioner Sikes-Kline stated that there would be a ribbon cutting ceremony for the grand opening of the U.S. Customs and Border Protection Facility at the airport.

St. Johns Water Management District Watering Rules

Commissioner Sikes-Kline stated that the St. Johns Water Management District had new watering rules as follows:

- Monday - No watering
- Tuesday – Businesses
- Wednesday - Odd numbered homes
- Thursday - Even numbered homes
- Fridays - Businesses
- Saturday - Odd numbered homes
- Sunday - Even numbered homes

Commissioner Sikes-Kline said that she hoped the city would comply with the new rules.

Commissioner Freeman - Earth Hour

Commissioner Freeman stated that she liked the idea of the Earth Hour Resolution, and she questioned whether the city could be involved.

Mr. Harriss pointed out that it would cost the city money to schedule an employee to handle the lighting.

Commissioner Jones stated that the lights in the city were on timers; therefore, the timers would have to be adjusted. He suggested symbolic ways to participate in Earth Hour. He pointed out that the city conserved energy daily by using motion detector lights in city offices.

13. Adjournment

There being no further business, the meeting was adjourned at 7:34 P.M.⁴

MAYOR

CITY CLERK, CMC

⁴ Transcribed by Susan Goins