

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
August 11 2008

The City Commission met in a formal session Monday, August 11, 2008 at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Vice Mayor Crichlow, and the following were present:

Roll Call:

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

Absent: Joe Boles, Mayor/City Commissioner (Excused)

William B. Harriss, City Manager
Ron Brown, City Attorney
Karen Rogers, City Clerk
Timothy A. Burchfield, Chief Administrative Officer
Mark Knight, Director, Planning and Building
Mark Litzinger, City Comptroller
Jim Piggott, General Services Director
Tim Fleming, Deputy Director, General Services/Purchasing Manager
Dr. William Adams, Director, Heritage Tourism
Martha Campbell, 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

Pastor William Montgomery, Deliverance Time Ministry, 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 Gardner MOVED to approve the minutes of the regular City Commission Meeting of July 28, 2008. The motion was SECONDED by Commissioner Jones.

VOTE ON MOTION

AYES: Gardner, Jones, Crichlow, Burk

NAYES: None

MOTION APPROVED UNANIMOUSLY

3.C.1/ Proclamations

(None)

4. Appeals/Public Hearings

4.A/ Public hearing regarding a Community Development Block Grant from the Florida Department of Community Affairs.

Timothy A. Burchfield, Chief Administrative Officer, explained that the city researched whether to apply for a Community Development Block Grant for improvements on Riberia Street. He said that following discussions with Fred Fox Enterprises it was determined that the city could apply for a commercial grant to help with stormwater improvements.

Melissa Fox, Fred Fox Enterprises, stated that the city was eligible to apply for a \$750,000 Community Development Block Grant through the Department of Community Affairs. She explained that there were four categories of grants; commercial, neighborhood revitalization, housing and economic development. She said there was approximately \$29 million available in grant funds; 40% for neighborhood revitalization projects, 30% for economic development projects, 20% for housing projects and 10% for commercial revitalization projects. She said she believed that the city wanted to pursue a grant for commercial revitalization for drainage improvements on Riberia Street.

Commissioner Crichlow stated that construction of infrastructure qualified under the grant application. He explained that the Commission appoint a Citizens Advisory Committee, and the purpose of the meetings and task force was to determine the use for the grant.

Commissioner Jones asked Ms. Fox a series of questions, and her responses were as follows:

- Cities were ranked according to criteria determined by the State of Florida
- Looked at the categories to determine where the city was more

likely to receive funding based on ranking with other cities

- The city could submit an application in commercial revitalization and the housing category; however, the city must indicate the first priority

Following a discussion Ms. Fox explained that the purpose of the first meeting was to determine whether the city wanted to pursue the grant

Commissioner Gardner asked for clarification regarding payment to Fred Fox Enterprises.

Mr. Burchfield replied that if the city was not awarded the grant Fred Fox Enterprises would not receive money; however, if the city was successful Fox Enterprises would receive approximately \$60,000 for administrative costs.

William B. Harriss, City Manager, pointed out that Fox Enterprises would not receive a finder's fee.

Commissioner Crichlow questioned whether the citizen task force would be present for each meeting.

Ms. Fox replied that the citizen task force would be a liaison group, hold separate meetings and review the application that the city considered applying for. She added that the task force would make a recommendation to the Commission, which would be presented at the second public hearing.

Commissioner Crichlow opened the public hearing.

Peter Romano, referred to the following:

- Lincolnville should apply for all three elements of the grant application
- The segment of Riberia Street and San Sebastian Harbor Way was scheduled for another parking garage; however, the money should not be used for that purpose,

because the existing garage was not at capacity

Commissioner Jones explained that the purpose of the workshop was to explain the rules and criteria. He pointed out that the city was applying for the grant; therefore, they must distribute the money throughout the city.

Dwight Hines, referred to the following:

- Cities and counties were also ranked on how well they provided information on the internet, and their ranking was considered when applying for a grant
- Planned to inform the community agency that the city was not in compliance
- Open records request

B.J. Kalaidi, referred to the following:

- Stormwater funds had been paid by residents in West Augustine; however, drainage in the area had not been improved
- \$750,000 should be spent to repair Old Dixie Highway
- Grants received by the city had been spent on east St. Augustine while ignoring other areas of the city
- Questioned why Fred Fox Enterprises was hired considering city employees could apply for the grant

Commissioner Jones pointed out that he had approximately ten years of consulting experience with Community Development Block Grants. He stated that Riberia Street was the worst street in the city; therefore, it should be repaired prior to major improvements on other streets.

Commissioner Crichlow closed the public hearing.

Mr. Harriss explained that the city had to establish a community Citizens Advisory Task Force and each Commissioner must

provide a name to the City Manager or the City Clerk. He concluded that the Commission should ensure that the citizen wanted to serve on the committee.

MOTION

Commissioner Gardner MOVED to accept and begin the process for the grant application that included the public hearings and workshops. The motion was SECONDED by Commissioner Jones.

VOTE ON MOTION

AYES: Gardner, Jones, Burk, Crichlow

NAYES: None

MOTION APPROVED UNANIMOUSLY

Commissioner Crichlow encouraged the public to attend the public meetings to learn about the grants.

Commissioner Gardner stated that citizens interested in joining the task force should inform the Commission.

5./ Ordinances – Public Hearing Required - First Reading

5.A/. Ordinances - First Reading

(None)

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

(None)

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

Dwight Hines referred to the following:

- Requested information about the new building on King Street
- Questioned whether there was a plan to put records information on the internet
- The city should write an ordinance regarding public records

B.J. Kalaidi referred to the following:

- Requested correct dates, times and the location for the budget workshops
- Water bill payments for city employees
- West Augustine needed repairs
- Street signage

Following a discussion regarding city employees receiving money for their water bills, the City Attorney clarified that employees received the money as part of their earnings; it was not a discount on water.

Philip Baldwin referred to the following:

- Parking spaces had been removed in front of his home
- Solution provided by city staff was to pay \$75 to park in the parking lot behind his home; which was unfair
- Savannah created an ordinance indicating that for a fee residents that owned their own home within a small restricted area could park for free in metered zones
- A fire truck got stuck on Charlotte Street, because the new parking meters prevented them from driving on the curb
- Staff indicated that five parking spaces on Charlotte Street would be eliminated to correct the situation
- Elimination of parking would create problems for local businesses

Mr. Harriss stated that staff was working on a solution that might include moving the parking meters to the other side of the street. He pointed out that the parking meters had been moved once because Mr. Baldwin did not want parking in front of his home.

Commissioner Crichlow stressed that fire truck access was critical. He pointed out that the area was mixed use complicating matters; however, staff would investigate the situation.

Mr. Harriss clarified that the first budget workshop would be Tuesday 9:00 A.M. in the Financial Services building.

Mr. Harriss referred to a comment made by a citizen and explained that the new building on King Street was the Fleet Maintenance building. He explained that while digging to build the stormwater retention pond they found garbage. He said staff spoke to the Department of Environmental Protection, they stopped digging and covered the area because DEP told them they could not dig unless they dug up the garbage and brought it to a landfill. He said the DEP indicated that they could cover the garbage; however, they could not disturb it. He concluded that they moved the pond to another area.

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, explained that the proposed franchise agreement for Florida Power & Light was scheduled for second reading during the September 8, 2008 Commission meeting; however, he recommended that the Commission defer second reading and referred to the following:

- Staff research indicated that the rates charged by an electric utility

franchise was in the hands of the Public Service Commission, which set rates according to Florida Statutes

- Franchise fee was a matter of concern and should be determined whether it was appropriate for the community
- City researched opening its own utility company; however, it was not feasible due to the small size of the city and a cooperative venture posed administrative difficulty
- The franchise agreement included highly technical aspects that required further expertise
- Staff recommended hiring an expert to provide legal advice regarding the agreement

Mr. Harriss stated that staff recommended that the expert attend the public outreach session to answer technical and legal questions.

MOTION

Commissioner Gardner MOVED to defer second reading and acquire an expert to research the matter. The motion was SECONDED by Commissioner Burk.

VOTE ON MOTION

AYES: Gardner, Burk, Jones, Crichlow

NAYES: None

MOTION APPROVED UNANIMOUSLY

10. ITEMS BY CITY CLERK

10.A/ Notification of Proclamations

- 2008-28 - National Marina Day

10.B/ Consideration of one appointment to the Code Enforcement, Adjustments and Appeals Board.

Karen Rogers, City Clerk, stated that one appointment was requested for the Code Enforcement, Adjustments and Appeals Board. She stated that she had received applications from R. Rhey Palmer and Chad

K. Smith. She concluded that Joe Eubanks had submitted an application after the deadline for submittal.

Following two tie votes for R. Rhey Palmer and Chad K. Smith it was determined that the Commission would vote at the subsequent meeting when all the Commissioners were in attendance.

11. ITEMS BY CITY MANAGER (Includes Consent Agenda

11.A/ Consent Agenda

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

11.A.2/ Award of Contract for the Internal Advertisement Program for the Historic Downtown Parking Facility.

11.A.3/ Consideration of an Agreement with Flagler College for Police Services.

Mr. Harriss read the consent agenda items.

Commissioner Jones requested that the location for the budget workshop be moved to the Alcazar Room at City Hall for video taping purposes and to allow additional room for the public.

There was Commission consensus to move the budget workshop to the Alcazar Room.

Commissioner Crichlow referred to item 11.A.2. regarding the contract for the advertisement program for the parking facility and expressed concern about the consistency of the signage in the parking facilities.

Mr. Burchfield explained that the city would confer with a professional advertising company to make the final decision about the advertisements. He added that Holmes Media would find interested parties and provide suggestions for the size of the advertisements.

Commissioner Crichlow questioned whether the city would set parameters and color requirements.

Mr. Burchfield explained that the city would sign a contract with an advertising company to handle sales and marketing and would set parameters and restrictions for the advertisements.

Commissioner Gardner and Commissioner Burk expressed concern about the cost of the city hiring a marketing company.

Following a discussion it was determined that item 11.A.3. would not be passed due to the cost to the city.

MOTION

Commissioner Burk MOVED to approve consent agenda item 11.A.3. The motion was SECONDED by Commissioner Gardner.

Mr. Harriss referred to item 11.A.3. and explained that the proposal for personnel costs included several components such as FICA, workers compensation, and insurance. He explained that the agreement provided that the city would assign two police officers to Flagler College during the school year and the college would fund their salaries and associated costs.

VOTE ON MOTION

AYES: Burk, Gardner, Jones, Crichlow

NAYES: None

MOTION APPROVED UNANIMOUSLY

11.B/ Discussion Items

(None)

12. ITEMS BY THE MAYOR AND COMMISSIONERS

Commissioner Gardner - Temporary Committee

Commissioner Gardner stated that several workshops had been postponed and he questioned whether the city should organize a citizens committee to handle public workshops to bring recommendations to the Commission.

Mr. Harriss replied that there had been scheduling conflicts among the Commission; however, he was trying to reschedule the workshops.

Commissioner Jones replied that Commission appointed committee meetings were required to operate in the Sunshine with recorded meetings and official minutes. He added that after the citizen meetings the information would have to be explained again to the Commission.

Commissioner Burk suggested that staff provide a list of scheduled workshops and a progress summary for each topic of consideration.

Following a discussion it was determined that the City Manager would provide a list of dates for the Commission to consider.

Commissioner Crichlow - Parking Garage

Commissioner Crichlow stated that there was reference made that the city garage was not filling to capacity. He explained that the garage was not designed to be filled to capacity everyday. He said it was designed for peak loads. He said if it was filled to capacity daily, it would not be big enough. He concluded that parking capacity would probably increase after the street signage was completed.

Beat Cop

Commissioner Crichlow stated that merchants had commented that the beat cop assigned to the downtown area had improved the atmosphere on St. George and the Plaza.

Commissioner Gardner – Hypolita Street

Commissioner Gardner encouraged the Commission and citizens to drive along Hypolita Street between Avenida Menendez and Cordova Street to see the improvements. He stated that it was important to improve the streets because the city was moving toward becoming a pedestrian city.

Street Safety

Commissioner Gardner stated that Cathy Fleming, St. Augustine Lighthouse, had informed him that several homeless men had been loitering around the Lighthouse and had followed young girls. He questioned whether the property was patrolled by the city, and the response was affirmative.

Loran Lueders, Police Chief suggested that citizens contact the police when they observe suspicious behavior.

13. Adjournment

There being no further business, the meeting was adjourned at 6:46 P.M.¹

VICE MAYOR

CITY CLERK, CMC

¹ Transcribed by Susan Goins