

## CITY OF ST. AUGUSTINE

Regular City Commission Meeting  
April 14, 2008

The City Commission met in a formal session Monday, April 14, 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  
Susan Burk, City Commissioner  
George Gardner, City Commissioner  
Errol D. Jones, City Commissioner

William B. Harriss, City Manager  
Ron Brown, City Attorney  
Karen Rogers, City Clerk  
John Regan, Chief Operations Officer  
Mark Knight, Director, Planning and Building  
Mark Litzinger, City Comptroller  
Tim Fleming, Deputy Director, General Services  
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  
Robin Upchurch, Assistant City Attorney  
Susan Goins, Recording Secretary

---

### **2. INVOCATION AND PLEDGE OF ALLEGIANCE**

Reverend Ken Asplund, Living Waters Ministry, delivered the invocation, and Commissioner Jones led the Pledge of Allegiance.

### **3. ADMINISTRATIVE ITEMS**

Mayor Boles congratulated Dr. William Adams, Director, Heritage Tourism for being honored with the Bob Williams distinguished Historic Preservation Award.<sup>1</sup>

#### **3.A/ Modification of Agenda**

(None)

#### **3.B/ Approval of Minutes**

The minutes of the regular City Commission Meeting of March 10, 2008 were approved as presented.

#### **3.C.1/ Proclamations**

- 2008-08 - Alcohol Awareness Month
- 2008-12 - Sexual Assault Awareness Month

Mayor Boles read and presented each proclamation.

---

<sup>1</sup> Commissioner Jones arrived at 5:05 P.M.

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

(None)

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

##### **4.A/. Consideration of an appeal of a Historic Architectural Review Board decision relative to property located at 130, 132, 134 &136 King Street and 131, 133 & 135 Oviedo Street.**

Mr. Knight stated that on October 18, 2007 and November 15, 2007, the Historic Architectural Review Board reviewed seven applications to demolish structures located at 130, 132, 134 &136 King Street and 131, 133 & 135 Oviedo Street. He explained that the HARB had found that the removal of the seven buildings would be detrimental to the historical and architectural character of the city and denied the applicant for failure to prove economic hardship. He said that pursuant to section 28-29 of the City Code, the Commission shall find whether an error was made and affirm, reverse or modify the action appealed.

Ron Brown, City Attorney, stated that the Commission would review the appeal without new evidence and testimony and determine whether HARB had satisfied the requirements of law. He explained the three elements that the courts looked at when reviewing quasi judicial decisions, and he referred to the following:

- Applicant had been provided due process of law
- Whether the HARB followed the essential requirements of law and properly applied ordinances to facts as they understood them
- Whether there was substantial and competent evidence to support the decision

Ellen Avery-Smith, Rogers Towers, P.A., 170 Malaga Street, stated that the applicant had filed seven applications to demolish

seven buildings in the historic area. She pointed out that Ms. Wendler had agreed to donate the houses. She said there were three basis in which Ms. Wendlers' due process rights were violated in the HARB procedure. She said that it was improper for the HARB members to develop preconceived ideas about the evidence that had not been presented to them or make comments to the public or the newspaper, which could have swayed decisions regarding the case.

Mayor Boles questioned whether they had asked for recusal on the record, and the response was negative.

Ms. Avery Smith referred to the transcript for the November 15, 2007 HARB meeting and stated that there were numerous instances of board members providing testimony. She added that only evidence in the record at the conclusion of the November 15, 2007 HARB meeting should be considered.

Mr. Brown asked for clarification regarding board members giving testimony.

Ms. Avery-Smith referred to the following:

- Page 62 of the transcript - Mr. Weaver had testified that one of the houses located on the property was a Sears kit home; although there was no documentation in the record indicating so
- Mr. Weaver talked about the procedures for the Wendlers' to receive tax credits
- Mr. Ste. Claire had provided information as well

Following a discussion Mr. Brown stated that the type of comments provided were issues under discussion, not necessarily, whether the homes qualified for demolition under the Code.

Ms. Avery-Smith presented her case and referred to the following:

- The applicant had proposed that they could relocate the homes
- Applicant was not given opportunity to postpone the decision
- Rehabilitating the homes would be an economic hardship
- The applicant had proven she was under economic hardship
- Competent substantial evidence had been provided indicating that the demolition of the structures would not have a detrimental effect on historic character of neighborhood
- The public stated that the demolition would be detrimental; however, they added that other demolitions had also been detrimental to the neighborhood
- No evidence had been presented rebutting the difficulty to rehabilitate the homes
- Based on the City Code the decision of HARB should be overturned

Following a discussion regarding the demolition, Commissioner Crichlow stated that HARB had determined that the demolition would be detrimental to the city and restoring the structures was not unreasonable in terms of cost; therefore, there was no excessive financial burden placed on the property owners. He stated that he did not believe that HARB had erred based on the evidence provided.

#### **MOTION**

**Commissioner Crichlow MOVED to deny the appeal of the HARB decision for properties located at 130, 132, 134 & 136 King Street and 131, 133 & 135 Oviedo Street. The motion was SECONDED by Commissioner Burk.**

#### **VOTE ON MOTION**

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

**NAYES: None**

**MOTION APPROVED UNANIMOUSLY**

#### **4.B/. Consideration of an appeal of a Historic Architectural Review Board decision relative to property located at 1 San Salvador Street.**

Mark Knight, Director, Planning and Building, explained that on December 20, 2007 the HARB had reviewed an application to improve the structure located at 1 San Salvador Street. He said that HARB had approved a certificate of appropriateness with five conditions outlined in the staff report but on Feb. 6, 2008, the Planning and Building Department received an application to appeal the HARB decision. He said pursuant to section 28-29 of the City Code, the Commission should find whether in their opinion error was made by HARB and affirm, reverse or modify the action appealed as they deemed just and equitable. He added that if the applicant presented modifications to the action under appeal the Commission could deny the appeal or remand it to HARB for further review.

Mayor Boles stated that the application indicated that the house did not abut a historic district.

Mr. Brown replied that the record indicated that a substantial portion of the structure was visible from the historic district.

Margaret Thorn, 1 San Salvador Street, stated that she was appealing two items; the style of baluster and gutter requested for use on the house, and she referred to the following:

- House outside Historic Preservation District; north elevation of the house faced the historic district
- HARB determined that the balusters, a second story porch and balcony be changed to reflect drawings of record with square balusters
- HARB provided no explanation for refusal
- One HARB member indicated no problem with the way it was constructed

- Wanted to leave balusters on porch and balcony as they were constructed
- Requested installing gutters on the house and HARB decided that half round gutters with half round hangers and half round down spouts must be used without providing an explanation
- Same style gutter that she requested was on the house across the street in the historic district
- No historic precedence; therefore, requested proceeding as outlined; install gutters on house and leave the balusters as constructed

Following a discussion regarding the modifications, the Commission determined that they would remand the matter to HARB considering the different style gutter.

#### **MOTION**

**Mayor Boles MOVED to remand the matter to HARB (to consider gutters and balusters). The motion was SECONDED by Commissioner Burk.**

#### **VOTE ON MOTION**

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

**NAYES: None**

**MOTION APPROVED UNANIMOUSLY**

#### **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 - Ordinance 2008-07 rezoning property located at 130, 132, 134 & 136 King Street and 131, 133 & 135 Oviedo Street to Planned Unit Development.**

Mr. Knight explained that Ordinance 2008-07 rezoned property located at 130, 132, 134 & 136 King Street and 131, 133 & 135 Oviedo Street to Planned Unit Development. He said the property located along Oviedo Street was zoned Residential General-one and the property along King Street was zoned Commercial Low-two. He said the PZB had denied the request to rezone the property to PUD, but the applicant's representative requested that the Commission consider the request.

Ms. Avery Smith presented the application and referred to the following:

- Displayed map of the property and surrounding area<sup>2</sup>
- Application to rezone properties at to Commercial Low-two for a boutique hotel, restaurant and art gallery with underground parking
- Minimum setback of 45-feet to increase the front lawn and alleviate traffic on King Street
- Displayed graphic of property<sup>3</sup>
- Hotel would improve the area
- Future land use 60% and medium density 35% - requested a 45% blend
- Maximum height 35-feet consistent with surrounding buildings
- Development would be completed in 4 years with a 12 to 18 month construction period
- Economic development would bring jobs into the area
- Hotel would increase pedestrian traffic, improve public safety and encourage new art businesses

Gerry Dixon, Dixon & Associates, Architect, 47 Cordova Street, referred to the following:

- Requested a 45-foot setback
- Digging in the area would not be an archeological issue
- Without the PUD the applicant could get an exception, under the proper

<sup>2</sup> Attached to original minutes

<sup>3</sup> Attached to original minutes

zoning and build a hotel that would look like the historic hotel

Rob Matthews, Matthews Design Group, Civil Engineer, 7 Waldo Street, referred to the following:

- Building height would be set at 9-feet with a peak building height of 44-feet
- King Street had several large buildings up to 50-feet
- Markland House was 40-feet tall
- Improve storm water on King Street
- 106 parking spaces met City Code
- Adding additional lifts could increase parking to 120 parking spaces

Commissioner Crichlow questioned whether 106 parking spaces would be adequate.

Mr. Knight replied that the amount was the applicant's interpretation, because there was a question regarding banquet space parking.

Bill Schilling, Kimley-Horn and Associates, Inc., Traffic Engineer, 8657 Baypine Road, Jacksonville, Florida, referred to the following:

- Construction of the hotel in place of the current use would not create a significant or major increase in traffic
- Performed analysis using institute of transportation engineers national database of similar uses and calculated uses generated by site and anticipated trips
- Approximate net increase of 13 P.M. peak hour trips
- King Street was a constrained street meaning that the city indicated it was not feasible to widen the street; therefore, according to the comprehensive plan a constrained status allowed the road to operate at 111.5% of its capacity and still consider it operating within acceptable level of service
- They must demonstrate that the current trips on King Street plus the

hotels trips would not be more than constrained designation on the road As part of city's current concurrency ordinance

- Most recent count from DOT demonstrated a peak hour
- Could demonstrate that the project met concurrency standards
- Recent count from the DOT demonstrated peak hour volume of 11,880 vehicles on King Street and the proposal added 13 vehicles

Commissioner Burk asked for clarification regarding the peak hour times.

Mr. Schilling replied that the peak hour on King Street was close to the lunch hour.

Commissioner Gardner stated that the hotel would cause more traffic.

Mr. Schilling pointed out that the concurrency ordinance allowed them to take a 30% credit reduction in trips if they were within a national register or local historic preservation district due to the pedestrian traffic. He added that there would be valet only parking and during the P.M. peak hours of the day they would control the departure direction of the patrons.

Donna Wendler, 5483 Atlantic View, referred to the following:

- Economic revival would help the city
- Improved security in the neighborhood
- Design of hotel would complement other buildings in style and character
- Boutique hotel would be good for the area
- Guests would add economic benefit to city
- Hotel would encourage new businesses in the area
- Valet parking<sup>4</sup>

Mayor Boles opened the public hearing.

<sup>4</sup> Brief recess 7:53 P.M. to 8:20 P.M.

The following comments were provided by residents against Ordinance 2008-07:

- People should buy and maintain one property
- The city should preserve downtown residential neighborhoods
- Purpose of a PUD was to benefit everyone
- There would be an increase of noise and deliveries in the neighborhood
- Property values in the area would decrease
- Traffic and exhaust fumes would increase on Oviedo Street
- Security and safety issues in the area resulting from people renting hotel rooms
- Would destroy quality of life
- Commercial intrusion into residential neighborhoods
- The community did not need the hotel
- Project was too much and would destroy historic parts of city
- Rebuilding something that had already been torn down
- 80-room hotel was not low intensity
- Hotel would cause parking problems in the area
- Neighborhood was single family
- Inconsistent comments had been provided during previous meetings
- Would feed storm water vault onto King Street
- Lack of landscaping on Oviedo Street
- Historic homes should not be destroyed
- The applicant was aware of the zoning when she bought the property
- Rules were in effect to protect history
- Applicant continued to purchase the property and did not take care of what she owned

The following comments were provided by residents in favor of Ordinance 2008-07:

- Homes should be moved to West Augustine for affordable housing
- The city should compromise with the applicant
- Not everything old was historical
- Delivery trucks would already be in the area
- Parking lifts worked in other areas
- The hotel was beautiful and would fit in the neighborhood
- The cost to renovate outweighed the benefit
- Would improve the neighborhood and increase tax base
- \$3.5 million gross revenue
- Economic impact of the hotel
- Would provide landscape improvements

Mayor Boles closed the public hearing.

Ms. Avery-Smith provided additional comments and referred to the following:

- Most of the area was office or commercial space
- Trash cans would be used in place of dumpsters
- 55-foot setback from King Street
- The applicant made changes during the meetings based on residents concerns
- Most public comments were made regarding the demolition and HARB hearing

Mayor Boles stated that recreating historic buildings was a good idea; however, he could not justify commercial intrusion into a residential area. He said the RG-1 zoning was there for a reason and multi-family dwellings was not the issue; therefore, he would vote against the ordinance.

Commissioner Jones stated that the hotel could cause problems on King Street. He said he was concerned about property rights and would vote against the project because residents were against it; however, he was not sure if it could legally stand up in court.

Commissioner Burk stated that she thought that King Street had improved. She said that a hotel, restaurant and convention center did not make sense and the city could not handle the traffic increase.

Commissioner Gardner stated that he liked the idea of re-creating old buildings and building them anew. He said the hotel was not in a pre-existing commercial building or hotel location. He added that the city had destroyed the original essence of historic preservation districts.

Commissioner Crichlow expressed that change was not always good. He stated that the homes attracted tourists and the city had lost too much of the past; therefore, he would vote against the ordinance.

#### **MOTION**

**Commissioner Crichlow MOVED to read Ordinance 2008-07 by title only and denied. The motion was SECONDED by Commissioner Burk.**

Mr. Brown read the title as follows:

#### **ORDINANCE NO. 2008-07**

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA ESTABLISHING THE KING STREET 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: Crichlow, Burk, Jones, Gardner, Boles**

**NAYES: None**

**MOTION APPROVED UNANIMOUSLY<sup>5</sup>**

<sup>5</sup> Brief recess 9:55 to 10:03 P.M.

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

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

- The city should not pay the water bills of city employees
- The city did not need a beat cop
- Cut salary of city management personnel
- Police officers should not drive patrol cars home
- Stop selective enforcement of open bottles and drinking in public

Doug Randall, 5 Willard Drive, referred to the following:

- Requested providing comments regarding item 11.A.5

Following a brief discussion it was determined that Mr. Randall would speak during item 11.A.5.

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

(None)

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

##### **7.A./Ordinances – First Reading**

**7.A.1/. Introduction and consideration of Ordinance 2008-08 rezoning property located at 100 St. George Street from Historic Preservation-two (HP-2) to Planned Unit Development (PUD).**

Commissioner Crichlow stated that he would recuse himself, because he was the architect for the project.

Mayor Boles stated that he would recuse himself, because he represented the applicant when he had acquired the property.

Mr. Knight stated that Ordinance 2008-08 rezoned property located at 100 St. George Street from Historic Preservation-two (HP-2) to PUD. He said the purpose was to add an elevator, a lift and a walk-in cooler. He explained that the three items contributed to lot coverage, and the PUD redefined lot coverage to exclude the aforementioned items as increased lot coverage. He added that the PUD had been reviewed by the PZB on March 4, 2008 and they recommended approval.

#### **MOTION**

**Commissioner Jones MOVED to place Ordinance 2008-08 on first reading, read by title only and passed. The motion was SECONDED by Commissioner Gardner.**

Mr. Brown read the title as follows:

#### **ORDINANCE NO. 2008-08**

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA ESTABLISHING THE 100 ST. GEORGE STREET 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: Jones, Gardner, Burk**

**NAYES: None**

**MOTION APPROVED UNANIMOUSLY**

**7.A.2/ Introduction and consideration of Ordinance 2008-09 repealing Ordinance 2006-22 vacating, discontinuing and abandoning that certain portion of West Avenue and Lewis Boulevard lying east of U.S. Highway 1.**

Mr. Knight explained that Ordinance 2008-09 repealed Ordinance 2006-22 vacating,

discontinuing and abandoning the certain portion of West Avenue and Lewis Boulevard lying east of U.S. Highway 1, which was part of the River's Edge project. He said the PUD had become ineffective, because the required actions had not taken place within the 18 month timeframe. He pointed out that since the property had not closed, there were multiple property owners without access and the road vacation could go into effect if it was not discontinued or repealed.

#### **MOTION**

**Commissioner Burk MOVED to repeal Ordinance 2006-22. The motion was SECONDED by Commissioner Gardner.**

Mr. Brown read the title as follows:

#### **ORDINANCE NO. 2008-09**

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REPEALING ORDINANCE NO. 2006-22 VACATING, DISCONTINUING AND ABANDONING THAT CERTAIN PORTION OF WEST AVENUE AND LEWIS BOULEVARD LYING EAST OF U.S. HIGHWAY 1; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE. PROVIDING FOR AN EFFECTIVE DATE.

#### **VOTE ON MOTION**

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

**NAYES: None**

**MOTION APPROVED UNANIMOUSLY**

**7.A.3/ Introduction and consideration of Ordinance 2008-10, regarding lighting on docks.**

Mr. Brown explained that ordinance 2008-10 provided for regulations of lighting on boat docks. He pointed out that Commissioner Crichlow had requested consideration of the ordinance, which was similar to the St. Johns County ordinance

including prohibiting certain types of lights and required shielding on lights over 25 watts. He added that it followed the requirements of the International Dark Skies Society.

Commissioner Crichlow stated that there had been many complaints about lighting on the ends of docks that was inappropriate for residential areas.

## **MOTION**

**Commissioner Burk MOVED to place Ordinance 2008-10 on first reading, read by title only and passed. The motion was SECONDED by Commissioner Jones.**

Mr. Brown read the title as follows:

### **ORDINANCE NO. 2008-10**

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA CREATING SECTION 7-3 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO BE KNOWN AS THE CITY OF ST. AUGUSTINE DOCK LIGHTING ORDINANCE; RESTRICTING THE USE OF CERTAIN LIGHTS ON RESIDENTIAL DOCKS WITHIN THE CITY OF ST. AUGUSTINE, FLORIDA; PROVIDING FOR ENFORCEMENT AND 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:** Burk, Jones, Gardner, Crichlow, Boles

**NAYES:** None

**MOTION APPROVED UNANIMOUSLY**

## **7.B./ Resolutions**

**7.B.1/. Consideration of Resolution 2008-02, approving a Historic Preservation Property Tax Exemption for property located at 46 Marine Street.**

Commissioner Crichlow stated that he would recuse himself because he was the architect of record for the project; although, he was not directly involved in the property tax exemption.

Mr. Knight explained that the tax exemption would abate the increased assessment for the improvements made during the renovations to the historic home. He added that the tax exemption had been reviewed and approved by the HARB and the physical work to the structure and the site had been completed and certified as correct by HARB on March 20, 2008.

## **MOTION**

**Commissioner Burk MOVED to pass Resolution 2008-02. The motion was SECONDED by Commissioner Gardner and APPROVED by UNANIMOUS VOICE VOTE.**

## **8. Staff Reports and Presentations**

(None)

## **9. ITEMS BY CITY ATTORNEY**

(None)

## **10. ITEMS BY CITY CLERK**

### **10.A/ Notification of Proclamations**

- 2008-09 - National Public Works Week
- 2008-10 - Sisters of St. Joseph
- 2008-11 - Tai Chi Day

## **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 Interlocal Agreement with the St. Augustine Port,**

**Waterway and Beach District relative to Dredging of the Lighthouse Boat Ramp.**

**11.A.3/ Consideration of Florida Department of Transportation State Highway System Lighting, Maintenance and Compensation Agreement.**

**11.A.4/ Consideration of Amendment No. 1 to the Cost Share Agreement Contract with the St. Johns River Water Management District for the Low Pressure Reverse Osmosis Plant.**

**11.A.5/ Determination of legal sufficiency and acceptance of an application to appeal a City Attorney decision relative to property located at 1824 & 1832 A1A South.**

**11.A.6/ Consideration of reimbursement of sewer charges to customers on water only accounts.**

Mayor Boles reiterated that item 11.A.5 would be removed for further discussion.

William B. Harriss, City Manager, read the consent agenda items.

**MOTION**

**Commissioner Gardner MOVED to approve consent agenda items 11.A.1 through 11.A.4. and 11.A.6. The motion was SECONDED by Commissioner Jones and approved by UNANIMOUS VOICE VOTE.**

**11.A.5/ Determination of legal sufficiency and acceptance of an application to appeal a City Attorney decision relative to property located at 1824 & 1832 A1A South.**

Commissioner Burk recused herself from item 11.A.5.

Mr. Brown stated that the City Attorney's office had made a determination to the PZB that possible legal issues existed regarding the proposed annexation. He said the city

had investigated and determined that questions existed regarding whether the properties satisfied the legal requirements for contiguity and compactness. He pointed out that annexations were discretionary. He said staff had contacted St. Johns County regarding the proposal and received comments from the County Attorney's office questioning whether the annexation satisfied the legal standard.

Mr. Harriss pointed out that the city did not have approval from the county, but if the county approved it would change the issue.

Commissioner Jones clarified that a citizen requested annexing property, and the City Attorney had advised that it did not meet the legal requirements.

Doug Randall, 5 Willard Drive, referred to the following:

- Displayed diagram of property<sup>6</sup>
- Issue of annexation was the result of neighborhood overlay district that he was not aware of
- County could not contest the annexation, because it would cut the amount of potential tax going into the county

Following a brief discussion the Commission requested a letter from St. Johns County stating that they would not object to the annexation if they were to give the application further consideration.

**11.B. Discussion Items**

Paul K. Williamson, Director, Public Affairs, stated that the city had been contacted by Show Management, the production company for the St. Augustine Boat Show and they had decided to postpone the boat show for an indefinite period of time because they had not sold enough spaces to make it economically viable. He added that Show Management would further

---

<sup>6</sup> Attached to original minutes

discuss the matter including any obligations they might need to fulfill.

Mr. Harriss stated that the city had passed an interlocal agreement with the Port and Waterway Authority to pay for the water line and they might be upset about the situation; however, they would discuss the matter.

Mayor Boles requested that Mr. Williamson inform the Ponte Vedra Recorder because they were writing a story about the boat show.

## 12. ITEMS BY THE MAYOR AND COMMISSIONERS

### Mayor Boles – Historic Properties

Following a discussion regarding the St. Augustine historic properties, there was Commission consensus to renegotiate a 99 year lease with the state.

### National Legislation

Mayor Boles stated that National legislation required the city to create the 450<sup>th</sup> St. Augustine 2015 Steering Committee. He recommended that the Commission discuss who should be on the committee during the subsequent meeting.

Mr. Brown said they could create a committee by ordinance.

### Commissioner Jones – Demolition Permit Fee Waiver

Commissioner Jones stated that the house at 307 Riberia Street had burned down, and the St. Johns Housing Coalition had agreed to build a new home; however, they had to demolish the old home first. He requested that the city waive the \$350 demolition permit fee, because the homeowner did not have the money.

## MOTION

**Commissioner Jones MOVED to waive the fee for the demolition permit for Clifford Tiger Johnson. The motion was SECONDED by Commissioner Burk and approved by UNANIMOUS VOICE VOTE.**

### Commissioner Crichlow – Noise Ordinance

Commissioner Crichlow stated that he had received complaints from hotels that noise from adjacent bars kept tourists up at night and some guests had asked for a refund.

Following a brief discussion it was determined that the staff would research the decibel level for commercial areas.

### Commissioner Burk – Parking

Commissioner Burk suggested not enforcing parking fees until after 10:00 a.m. to benefit locals.

Following a brief discussion, it was determined that the commission would discuss the matter at a future date.

## 13. Adjournment

There being no further business, the meeting was adjourned at 11:06 p.m.<sup>7</sup>

---

MAYOR

---

CITY CLERK, CMC

---

<sup>7</sup> Transcribed by Susan Goins