

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, January 9, 2023

The City Commission met in formal session Monday, January 9, 2023, at 5:02 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Roxanne Horvath, Vice Mayor/City Commissioner
Barbara Blonder, City Commissioner
Cynthia Garris, City Commissioner
Jim Springfield, City Commissioner

Also Present: John Regan, City Manager
Isabelle Lopez, City Attorney
Elyse Weimann, Acting City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Assistant City Manager
Melissa Wissel, Director of Communications
Colleen Kuhn, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Dr. David Rice of Regeneration Fellowship, delivered the invocation, and Commissioner Horvath led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

MOTION

Commissioner Horvath **MOVED** to approve the Regular Agenda. The motion was **SECONDED** by Commissioner Blonder and **APPROVED BY UNANIMOUS VOICE VOTE.**

3. Special Presentations, Recognitions and Proclamations

3.A. Special presentation to City staff, Angels in the Architecture, and Heath Electric for their efforts to ensure the

successful kick-off to the 2022 Nights of Lights season following Hurricanes Ian and Nicole. (N. Sikes-Kline, Mayor)

Mayor Sikes-Kline thanked City staff, Angels in the Architecture and Heath Electric for their hard work on the Night of Lights. She recognized their extraordinary efforts considering the challenges created by hurricanes Ian and Nicole.

3.B. Proclamation 2023-01 - Declaring January 2023 as Human Trafficking Awareness Month. (B. Blonder, Commissioner)

Commissioner Blonder presented Proclamation 2023-01.

3.C. Proclamation 2023-03 - Supporting Active People, Healthy Nation. (N. -Kline, Mayor)

Mayor Sikes-Kline presented Proclamation 2023-03.

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Edwin Swift
- Marta Hahn
- Dave Chatterton
- Ann Solomn
- Lauren Giber
- B.J. Kalaidi

Public comment was closed.

5. Consent Agenda

John Regan, City Manager, read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JANUARY 23, 2023:

- Ordinance 2023-01

CA.3. Reminder of Upcoming Meetings:

- January 23, 2023, 4pm, Community Redevelopment Agency Meeting
- January 23, 2023, 5pm, Regular City Commission Meeting
- February 13, 2023, 5pm, Regular City Commission Meeting
- February 27, 2023, 5pm, Regular City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

- December 5, 2022 - Special City Commission Meeting

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):

- John Arbizzani - 46 Avenida Menendez, Inc - 70 Hypolita Street
- Mary E. and William T. Baker - 119 St. George Street

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

None.

CA.7. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED:

- Proclaims January 20, 2023 as Arbor Day in the City of St. Augustine. (N. Sikes-Kline, Mayor)

5.A. Additions, deletions or modifications to Consent Agenda

None.

5.B. Approval of Consent Agenda

MOTION

Commissioner Springfield MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

6. Appeals

6.A. Appeal of City Manager decision to deny application for three animal drawn carriage permits to include the rental of two stalls and two carriage parking spots at the City's transfer station located on Riberia Street. (J. Regan, City Manager)

Mr. Regan reviewed the Appeal. He explained the City's Transportation and Mobility Goals included reducing congestion, and said that adding three carriages would be contrary to those Goals.

Isabelle Lopez, City Attorney said that she had called the Applicant's attorney to see if they planned to attend the meeting. She

confirmed that no one was in attendance to speak on behalf of the Applicant.

Public Comment was opened.

- Lauren Giber

Public comment was closed.

Commissioner Blonder agreed with the decision and suggested that staff conduct a study and make recommendations on rerouting the carriages.

MOTION

Commissioner Blonder MOVED to uphold the decision to deny the application. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION:

AYES: Blonder, Horvath, Garris, Springfield, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

7. General Public Presentations, Items of Great Public Importance, and Other Items Requiring Public Hearings

7.A. General Public Presentations

None.

7.B. Items of Great Public Importance

None.

7.C. Other Items Requiring Public Hearing

None.

8. Ordinances and Resolutions – Public Hearing Required.

8.A. Ordinances – Second Reading

8.A.1. Ordinance 2021-19: Amends the zoning of 159 King Street from Planned Unit Development PUD) to Residential

General Office (RGO). (A. Skinner, Director Planning and Building)

Ms. Lopez reviewed the history of Ordinance 2021-19. She shared background on the initial rezoning request, the Commission's denial of the request, subsequent litigation and ruling from the court, and the applicant's rights on the matter.

David Birchim, Assistant City Manager noted the Ordinance amended the zoning at 159 King Street from Planned Unit Development to Residential General Office.

Ellen Avery-Smith, Attorney for the Applicant, said she would be reviewing the same presentation that was provided to the Commission at their September 13, 2021, meeting. She noted that while this was the second reading and a public hearing was required, no new information would be presented. She confirmed that the project would comply with all applicable provisions of the Comprehensive Plan and Land Development Regulations.

Public hearing was opened.

- Lauren Giber
- B.J. Kalaidi

Public hearing was closed.

Commissioners disclosed ex parte.

MOTION

Commissioner Horvath MOVED to pass Ordinance 2021-19 on second reading and be read by title only. The motion was SECONDED by Mayor Sikes-Kline.

Ms. Lopez read the title as follows:
ORDINANCE NO. 2021-19

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE ZONING FOR APPROXIMATELY 9.88 ACRES OF PROPERTY LOCATED ON

THE SOUTH SIDE OF SEBASTIAN HARBOR DRIVE AND WEST OF RIBERIA STREET, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) TO THE CLASSIFICATION OF RESIDENTIAL GENERAL OFFICE (RGO); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Horvath, Sikes-Kline, Blonder, Springfield, Garriss

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.B. Ordinances – First Reading (only if required by law)

None.

8.C. Resolutions – Public Hearing (only if required by law)

None.

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

9.A.1. Ordinance 2023-01: Prohibits fishing from any appurtenances to the seawall. (I. Lopez, City Attorney)

Ms. Lopez presented Ordinance 2023-01 and explained that it pertained to a viewing platform that was added when the Bridge of Lions was rebuilt by the Florida Department of Transportation (FDOT). She noted the area was urban and not conducive to fishing.

MOTION

Commissioner Blonder MOVED to pass Ordinance 2023-01 to second reading and be read by title only. The motion

was SECONDED by Commissioner Springfield.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2023-01

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 7, ARTICLE I, SECTION 7-2 OF THE CODE OF THE CITY OF ST. AUGUSTINE PROHIBITING FISHING FROM ANY APPURTENANCES TO THE SEAWALL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Horvath, Sikes-Kline, Blonder, Springfield, Garriss

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.2. Ordinance 2023-02: Amends the future land use designation of 1700 North Ponce de Leon Boulevard and 25 Missouri Avenue from Commercial Medium Intensity to Residential Medium Density Mixed Use. (A. Skinner, Director Planning and Building)

Ms. Lopez explained there would be one presentation on the ordinances, but separate motions would be needed for each.

Mr. Birchim, Assistant City Manager reviewed Ordinances 2023-02 and 2023-03. He noted they were companion ordinances. He said the Planning and Zoning Board (PZB) unanimously recommended approval of the amendments.

Commissioner Blonder clarified that the changes would result in lower intensity zoning and future redevelopment may be encumbered by the changes.

James Whitehouse, Attorney for the Applicant said he would provide a presentation for the Commission at the second reading.

Mayor Sikes-Kline asked about the structure at 1800 North Ponce de Leon Boulevard.

MOTION

Commissioner Horvath MOVED to pass Ordinance 2023-02 to second reading and be read by title only. The motion was SECONDED by Commissioner Springfield.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2023-02

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY 0.71 ACRES OF PROPERTY LOCATED AT 1700 NORTH PONCE DE LEON BOULEVARD AND 25 MISSOURI AVENUE IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATION OF COMMERCIAL MEDIUM INTENSITY TO A DESIGNATION OF RESIDENTIAL MEDIUM DENSITY MIXED USE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Horvath, Springfield, Garriss, Blonder, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.3. Ordinance 2023-03: Amends the zoning of 1700 North Ponce de Leon Boulevard and 25 Missouri Avenue from Commercial Medium-Two (CM-2) to Residential General Office-A (RGO-A).

(A. Skinner, Director Planning and Building)

MOTION

Commissioner Horvath MOVED to pass Ordinance 2023-03 to second reading and be read by title only. The motion was SECONDED by Commissioner Garriss.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2023-03

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 0.71 ACRES OF PROPERTY LOCATED AT 1700 NORTH PONCE DE LEON BOULEVARD AND 25 MISSOURI AVENUE IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF COMMERCIAL MEDIUM-TWO (CM-2) TO THE CITY OF ST. AUGUSTINE CLASSIFICATION OF RESIDENTIAL GENERAL OFFICE-A (RGO-A); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Horvath, Garriss, Springfield, Blonder, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.4. Ordinance 2023-04: Amends the future land use designation of 1800 North Ponce de Leon Boulevard, 1860 North Ponce de Leon Boulevard and 7 San Carlos Avenue from Commercial Medium Intensity to Residential Medium Density Mixed Use. (A. Skinner, Director Planning and Building)

Mr. Birchim reviewed Ordinances 2023-04 and 2023-05. He showed the Commission

the location of the properties and noted they were all owned by the same person.

Mr. Whitehouse presented additional photos for the Commission's consideration. He noted the structure at 1800 North Ponce de Leon Boulevard would be included in the request.

Commissioner Springfield asked the developer to consider adding green space. He suggested the City consider adding police and fire support as new hotels were built.

Mayor Sikes-Kline asked the Applicant to consider retaining the mid-century structure she had mentioned.

MOTION

Commissioner Blonder MOVED to pass Ordinance 2023-04 to second reading and be read by title only. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY 1.48 ACRES OF PROPERTY LOCATED AT 1800 NORTH PONCE DE LEON BOULEVARD, 1860 NORTH PONCE DE LEON BOULEVARD AND 7 SAN CARLOS AVENUE IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATION OF COMMERCIAL MEDIUM INTENSITY TO A DESIGNATION OF RESIDENTIAL MEDIUM DENSITY MIXED USE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Blonder, Horvath, Springfield, Garris, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.5. Ordinance 2023-05: Amends the zoning of 1800 North Ponce de Leon Boulevard, 1860 North Ponce de Leon Boulevard and 7 San Carlos Avenue from Commercial Medium - Two (CM-2) to Residential General Office A (RGO-A). (A. Skinner, Director Planning and Building)

MOTION

Commissioner Springfield MOVED to pass Ordinance 2023-05 on second reading and be read by title only. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2023-05

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 1.48 ACRES OF PROPERTY LOCATED AT 1800 NORTH PONCE DE LEON BOULEVARD, 1860 NORTH PONCE DE LEON BOULEVARD AND 7 SAN CARLOS AVENUE IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF COMMERCIAL MEDIUM-TWO (CM-2) TO THE CITY OF ST. AUGUSTINE CLASSIFICATION OF RESIDENTIAL GENERAL OFFICE-A (RGO-A); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Springfield, Horvath, Blonder, Garris, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

Ms. Lopez notified the Commissioners that Mr. Brooks had contacted her regarding the horse carriage matter. She said they had planned to attend the meeting and were requesting a continuance.

The Commissioners agreed that their earlier decision should stand and declined the continuance request.

9.B. Resolutions

9.B.1. Resolution 2023-01: Supports the lease of state-owned land for a new City of St. Augustine Fire Station on Anastasia Island. (D. Birchim, Assistant City Manager)

Mr. Birchim presented Resolution 2023-01. He said that FDOT would like to acquire the City's Fire Station #2 property to put in a roundabout. He noted the property was outdated and obsolete. He said approval of the Resolution would allow the City to lease State owned property and build a new Fire Station.

The Commissioners agreed a new Fire Station was needed, and improving the dangerous intersection was important.

MOTION

Commissioner Horvath MOVED to pass Resolution 2023-01. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION:

AYES: Horvath, Blonder, Springfield, Garris, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

10. Staff Reports and Presentations

None.

11. ITEMS BY CITY ATTORNEY

Ms. Lopez introduced Danyelle Alston the new Assistant City Attorney.

11.A. Legislative update for 2022 Special Session. (Information only, no presentation) (D. Alston, Assistant City Attorney)

Ms. Alston provided an update on Senate Bill 4A, regarding disaster relief for local governments and homeowners impacted by hurricanes Ian and Nicole. She explained details of the Bill and confirmed there was no action needed from the Commission at this time.

12. ITEMS BY CITY CLERK

12.A. Review of current commission assignments to intergovernmental boards. (D. Galambos, City Clerk)

Mr. Regan reviewed Item 12.A. He and the Commission discussed and finalized the following assignments:

- Mayor Sikes-Kline
 - Tourist Development Council
 - North Florida Transportation Organization
- Commissioner Springfield
 - Sister City Association
 - Continuum of Care
- Commissioner Horvath
 - Northeast Florida Regional Planning Council
- Commissioner Garris
 - Visitor Convention Bureau
- Commissioner Blonder
 - Guana Tolomato Matanzas National Estuarine Research Reserve (GTM Research Reserve)
 - Bartram Trail Conference Representative

The Commission and City Manager considered who should be the delegate for the Annual Florida League of Cities Convention scheduled for August 2023.

They agreed to appoint a delegate closer to the Convention date.

12.B. Request for use of the City Seal in perpetuity. (D. Galambos, City Clerk)

Mr. Regan presented Item 12.B.

The Commissioners and City Manager discussed prior requests and why they had not been approved in the past.

MOTION

Commissioner Horvath MOVED to deny the request for use of the City Seal. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION:

AYES: Horvath, Blonder, Garris, Springfield, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

13. ITEMS BY CITY MANAGER

None.

14. Items by Mayor and Commissioners

Commissioner Garris noted she had received a complaint about people speeding and maneuvering through back streets to avoid the Bridge of Lions traffic during the Night of Lights. She suggested adding signage indicating no-through traffic on those streets.

Mayor Sikes-Kline mentioned that she had received a similar complaint. She said she asked the Police Chief to put up speed warning signs to provide drivers notice of their speed.

Commissioner Blonder asked if the Commission supported her request to have staff look at rerouting carriages.

Mr. Regan responded that new street infrastructure had been added since the

last time this was explored, which could open new opportunities to address how carriages were routed.

Commissioner Blonder congratulated and thanked staff for their hard work on the Back Bay Coastal Storm Feasibility Study and Fire Station.

Commissioner Horvath thanked staff for their work on the Children's Sailing Center.

Commissioner Springfield noted one of his goals was for the City to purchase as much land as possible for flooding and preservation purposes.

Mr. Birchim stated that the area of flooded land shown during Public Comment was in the process of review by the Planning and Zoning Board.

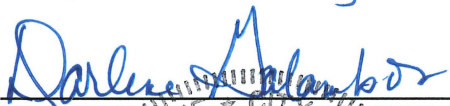
Mayor Sikes-Kline said that on April 27th the City would celebrate 50 years of City Hall being part of the Lightner Building. She asked that staff compile a running list of ideas and follow-up items that come up during Commission meetings.

15. Adjournment

There being no further business, the meeting was adjourned at 7:24 P.M.¹



Nancy Sikes-Kline, MAYOR



Darlene Galambos, CITY CLERK



¹ Transcribed by Colleen Kuhn