

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, August 12, 2024

The City Commission met in formal session Monday, August 12, 2024, at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Vice- Mayor Roxanne Horvath, and the following were present:

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

Absent Nancy Sikes-Kline, Mayor/City Commissioner (Excused)

Also Present: David Birchim, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Melissa Burns, Director, Finance
Stephen Slaughter, Director, Public Works & Utilities
Amy Skinner, Director, Planning and Building
Jennifer Michaux, Police Chief
Carlos Aviles, Fire Chief
Michele Fudo, Recording Secretary

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Vice Mayor Horvath requested a moment of silence and Commissioner Blonder led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

Public comment for Spanish Street will be moved to the staff presentation.

MOTION

Commissioner Springfield **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

None

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Robin Thomas
- Chris Fulmer
- BJ Kalaidi

5. Consent Agenda

David Birchim, 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 AUGUST 26, 2024:

- Ordinance 2024-28: Amends littering regulations related to balloon releases.

CA.3. Reminder of Upcoming Meetings:

- AUGUST 22, 2024, 9:00AM, City Commission Budget Workshop Meeting
- AUGUST 23, 2024, 9:00AM, City Commission Budget Workshop Meeting (if necessary)
- AUGUST 26, 2024, 5:00PM, Regular City Commission Meeting
- SEPTEMBER 5, 2024, 5:05PM, Special City Commission Budget Meeting
- SEPTEMBER 9, 2024, 4:30PM, Order of La Florida Award presentation to William "Bill" Dudley.
- SEPTEMBER 9, 2024, 5:00PM, Regular City Commission Meeting

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

- JULY 8, 2024-Special City Commission Budget Meeting
- JULY 8, 2024-Regular City Commission Meeting
- JULY 22, 2024-Regular City Commission Meeting

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

- 111 Zoratoa Avenue-James A. Philcox

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:

- Certificate of Recognition for Dr. Dorothy Headley Israel, Ph.D. in celebration of her

One Hundredth Birthday. (C. Garris, Commissioner)

CA.8. Authorization to join Payment Card Interchange Fee and Merchant Discount Antitrust Litigation. (M. Breidenstein, Assistant City Manager)

CA.9. State Revolving Fund Amendment 1 to Loan Agreement DW550410. (M. Breidenstein, Assistant City Manager)

End Consent Agenda

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

(None)

5.B. Approval of Consent Agenda

MOTION

Commissioner Blonder MOVED to approve the Consent Agenda as presented. The motion was SECONDED by Commissioner Garris and APPROVED BY UNANIMOUS VOICE VOTE.

6. Appeals

(None)

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

Amy Skinner, Director, Planning and Building gave a detailed explanation of the following three ordinances.

8.A.1. Ordinance 2024-24: Annexes nine (9) parcels of land adjacent to the Cat's Paw Marina on Nix Boatyard Road. (A. Skinner, Director Planning and Building)

Brad Wester was sworn in for the record and provided a brief overview of the PUD.

Public hearing was opened, and Commissioners heard comments from the following member of the public:

- BJ Kalaidi

Public comment was closed.

Mr. Wester presented his rebuttal.

Commissioner Blonder asked for an explanation for the PUD master stormwater system

Mr. Wester explained the proposed Low Impact Development (LID) system that would be used for the stormwater drainage.

The Board presented their Ex Parte Communications related to all three Ordinances.

MOTION

Commissioner Springfield MOVED to pass Ordinance 2024-24 on second reading. The motion was SECONDED by Commissioner Blonder.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2024-24

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA ANNEXING APPROXIMATELY 10.38 ACRES OF

PROPERTY NOW LOCATED IN ST. JOHNS COUNTY, FLORIDA, LYING WEST AND SOUTH OF THE EXISTING DEVELOPMENT REFERRED TO AS THE CAT'S PAW MARINA, NORTH AND EAST OF NIX BOATYARD ROAD, AND SOUTH AND WEST OF THE SAN SEBASTIAN RIVERINE ENVIRONMENT AS DESCRIBED HEREIN; REDEFINING THE BOUNDARY LINES OF THE CITY OF ST. AUGUSTINE TO INCLUDE SAID PROPERTY; AMENDING SECTION 1.04 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.

VOTE ON MOTION:

AYES: Springfield, Blonder, Garris, Horvath

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

8.A.2. Ordinance 2024-25: Amends the future land use designation of 10.38 acres of annexed property at 199 and 200 Nix Boatyard Road. (A. Skinner, Director Planning and Building)

Public hearing was opened, and Commissioners heard comments from the following member of the public:

- BJ Kalaidi

Public comment was closed.

MOTION

Commissioner Springfield MOVED to pass Ordinance 2024-25 on second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE 2024-25

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY 10.38 ACRES OF PROPERTY LOCATED NORTH AND EAST OF NIX BOATYARD ROAD AS A PORTION OF THE G.W. PERPALL GRANT ADJACENT TO THE CAT'S PAW MARINA DEVELOPMENT IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATION OF ST. JOHNS COUNTY MIXED USE DISTRICT TO A CITY DESIGNATION OF MARINE INDUSTRIAL; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Springfield, Horvath, Garris, Blonder

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

8.A.3. Ordinance 2024-26: Amends the zoning designation of 10.38 acres of annexed property at 199 and 200 Nix Boatyard Road. (A. Skinner, Director Planning and Building)

Public hearing was opened, and Commissioners heard comments from the following member of the public:

- BJ Kalaidi

Public comment was closed.

MOTION

Commissioner Springfield MOVED to pass Ordinance 2024-26 on second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2024-26

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 10.38 ACRES OF PROPERTY LOCATED NORTH AND EAST OF NIX BOATYARD ROAD AS A PORTION OF THE G.W. PERPALL GRANT ADJACENT TO THE CAT'S PAW MARINA DEVELOPMENT IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATIONS OF ST. JOHNS COUNTY RESIDENTIAL MANUFACTURED/MOBILE HOME (RMH), COMMERCIAL HIGHWAY TOURIST (CHT) AND OPEN RURAL (OR) TO THE CITY CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD); THIS INCLUDES THE AMENDING AND RECONSTITUTING OF THE EXISTING CAT'S PAW MARINA PUD INCORPORATING THE PROPERTY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Springfield, Horvath, Garris, Blonder

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

8.A.4. Ordinance 2024-27: Amends regulations relating to floodplain management. (R. Schauland, Building Official)

Buddy Schauland reviewed the ordinance.

Public hearing was opened; however, there was no response.

Ms. Lopez said that the state had made some technical changes, and they wanted the city ordinance to match those changes.

MOTION

Commissioner Springfield MOVED to pass Ordinance 2024-27 on second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2024-27

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 8 OF THE CODE OF THE CITY OF ST. AUGUSTINE; REPEALING SECTION 8-117; AMENDING SECTIONS 8-419 AND 8-460; AND CREATING SECTION 8-466 TO CONFORM TO FLORIDA BUILDING CODE REQUIREMENTS FOR FLOODPLAIN MANAGEMENT REGULATIONS AND MARKET VALUE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Springfield, Horvath, Garris, Blonder
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. 1. Ordinance 2024-28: Amends littering regulations related to balloon releases. (A. Owen, Assistant City Attorney)

Ms. Lopez reviewed the Ordinance.

MOTION

Commissioner Blonder MOVED to pass Ordinance 2024-28 on first reading and moved to second reading. The motion was SECONDED by Commissioner Springfield.

Isabelle Lopez, City Attorney, read the Ordinance.

ORDINANCE NO. 2024-28

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 22 OF THE CITY CODE TO CONFORM TO STATE LAW; 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: Blonder, Springfield, Garris, Horvath
NAYES: NONE
MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

9.B.1. Resolution 2024-25: Increases Water and Sewer rates by the Consumer Price Index (CPI) of 3%. (M. Breidenstein, Assistant City Manager)

Meredith Breidenstein reviewed the Resolution.

Ms. Horvath asked for an explanation of the minimum usage for residents.

Ms. Breidenstein explained the change was from a 3,000-gallon minimum to 100 gallon minimum.

Mr. Springfield reminded the public that reserve water funds could only be used for repair and maintenance of the water utilities.

MOTION

Commissioner Horvath **MOVED to APPROVE Resolution 2024-25.** The motion was **SECONDED** Commissioner Springfield.

VOTE ON MOTION

AYES: Horvath, Springfield, Garris, Blonder

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.B.2. Resolution 2024-26: Increases Stormwater Management Utility rates by the Consumer Price Index (CPI) of 3%. (M. Breidenstein, Assistant City Manager)

Ms. Breidenstein reviewed Resolution 2024-26.

MOTION

Commissioner Springfield **MOVED to APPROVE Resolution 2024-26.** The Motion was **SECONDED** by Commissioner Horvath

VOTE ON MOTION

AYES: Springfield, Horvath, Garris, Blonder

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.B.3. Resolution 2024-27: Increases Solid Waste Rates and Fees by the Consumer Price Index (CPI) of 3%. (M. Breidenstein, Assistant City Manager)

Ms. Breidenstein reviewed Resolution 2024-27.

Commissioner Springfield commented on the excellent job the city employees did with solid waste collection.

Commissioner Blonder said that reducing the weight of the trash collected would facilitate lesser rates for the citizens.

Commissioner Horvath noted there were two locations for glass to be recycled.

Commissioner Springfield suggest composting city wide, not just for individuals.

Ms. Breidenstein explained the city's composting program. She said in fiscal year (FY) 2024, there was a residential composting program that purchased bins and the bins were in the budget again for FY2025.

MOTION

Commissioner Springfield **MOVED to APPROVE Resolution 2024-27.** The motion was **SECONDED** by Commissioner Horvath.

VOTE ON MOTION

AYES: Springfield, Horvath, Garris, Blonder

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.B.4. Resolution 2024-28: Renews the Traffic Signal Maintenance and Compensation Agreement between the FDOT and the City of St. Augustine for Fiscal Year 2025. (R. Franklin, Assistant City Manager)

Reuben Franklin reviewed the Resolution.

Commissioner Springfield asked if this was an annual agreement.

Mr. Franklin replied this was an annual agreement and the City was able to provide quicker service than the state.

MOTION

Commissioner Horvath **MOVED** to pass Resolution 2024-28. The motion was **SECONDED** by Commissioner Garris.

VOTE ON MOTION:

AYES: Horvath, Garris, Springfield¹

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

10. Staff Reports and Presentations

10.A. Spanish Street Pedestrian Pilot Project Summary. (R. Franklin, Assistant City Manager)

Reuben Franklin reviewed the Spanish Street Pilot project for the Board.

General Public Comments (3 minutes per individual)

- Virginia Whetstone
- Michael Pounds
- Margaret Greir Edmonson
- Scott York
- Martha Mikler
- Ron Mikler
- Leonard Pellicer
- Chris Fulmer
- Charles Pappas
- Tim Fleming

Board discussion:

- Felt that it should continue to be pedestrian traffic only as it increased the safety of the area and the homes
- Businesses needed certain amenities to thrive
- Suggested a 90-day trial period being open during the day Monday thru Saturday and closed at night
- Thought the businesses with entrances should have signage

¹ Commissioner Blonder not present for vote.

- Should enforce "no trucks" on the street but provide a location for trucks to unload their goods for businesses
- Preferred Spanish Street to be complete pedestrian only but unable since there were businesses and parking lots

Commissioner Blonder asked for some clarity regarding the Tolomato lot.

Mr. Franklin replied the Tolomato lot improvements had been ongoing for several years and in the upcoming fiscal year. He said that the reconstruction vision was to remove the loading zone from Spanish Street and add them to the Tolomato lot for large and medium sized delivery vehicles. He said the access to the lot would be from Cordova Street. He said the only issue was access for emergency services.

Commissioner Blonder asked for more explanation on paving an entryway from Cordova Street into the Tolomato lot.

Mr. Franklin replied when the project was built, it was expected to be concrete with permeable paver for the parking lot for storm water management. He said in the interim, the drive access could be paved. He said this would be a short-term fix while waiting for construction to begin.

Commissioner Blonder asked if delivery trucks on a temporary basis, could use the circle at the Visitors Information Center while the upgrades were taking place.

Mr. Franklin stated that the circle was used during the construction of Spanish Street. He said during Nights of Lights it would not be feasible, but during other parts of the year, it could work. He said they thought about allowing commercial vehicles to park on Cordova Street until 9:00 or 10:00 a.m. to help elevate the issue.

Commissioner Blonder said she had spoken to business owners who were opposed and those who favor a permanent pedestrian configuration. She said some of

the business owners had mentioned having a gate to limit traffic during certain times of the day or night. She questioned why the gate could not be used.

Mr. Franklin addressed the issue of a possible gate for the area, being logistically difficult. He said that HARB would have to be involved in the design and installation.

Commissioner Blonder felt the numbers were not compelling as there was too much variation. She said the Vision and Comprehensive Plan were the most compelling to make the permanent change.

Commissioner Horvath said her main goal was to help balance the residents, businesses, and tourist that visit the City. She said safety was paramount and thought opening the street temporarily would be a test. She said she was only in favor of this because not all businesses were informed. She asked if the businesses had not been notified officially of the pilot program.

Mr. Franklin replied that everyone was contacted on the street; however, there was not a workshop or public comment period for comments to be heard outside the City Commission meetings.

Commissioner Horvath said she believed in small steps and thought this was a small way to make it more livable for residents in the area. She was in favor of keeping it closed but thought a 90-day test could be done.

Commissioner Springfield asked if signage could be added to notate the businesses in the area.

Ms. Lopez advised that businesses were not advertised on City property; however, if it were a security, safety, or traffic safety issue it could be investigated.

MOTION

Commissioner Blonder MOVED to make the pilot project, pedestrian only for a specified section of Spanish Street, permanent and to amend city codes to enable that to happen. The motion was SECONDED by Commissioner Garris.

VOTE ON MOTION:

AYES: Blonder, Garris, Horvath

NAYES: Springfield

MOTION APPROVED 3/1

11. ITEMS BY CITY ATTORNEY

11.A. Sunshine, Public Records and Ethics Minute.

No presentation made, provided by the City Attorney's Office for information purposes.

12. ITEMS BY CITY CLERK

(None)

13. ITEMS BY CITY MANAGER

(None)

14. Items by Mayor and Commissioners

Commissioner Springfield thanked the manager and crew that painted the sidewalk from Orange Street to the Visitors Information Center as it was done well. He said it was a great improvement.

Commissioner Blonder said a towing company in Jacksonville was conducting themselves inappropriately. She said this same company operated in St. Augustine. She asked staff to ensure that people were not being mistreated or charged excessive fees especially if the practices of the towing company were questionable.

Mr. Birchim replied that it would be investigated.

Commissioner Garris expressed appreciation for the comments regarding the mobility aspects of Spanish Street. She said there had been comments of making the downtown area pedestrian only; however, she did not feel that would be feasible until the Broudy Parking garage was complete. She said the City was beautiful and all the businesses should be explored. She understood change was difficult but thought the change was for the better. She encouraged everyone to walk more to increase healthy living.

15. Adjournment

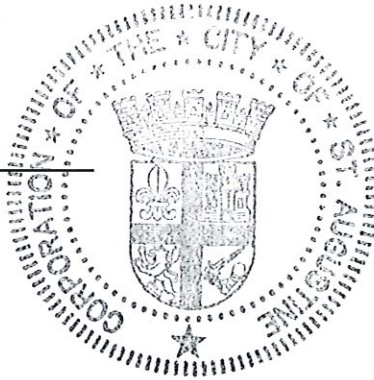
There being no further business, the meeting was adjourned at 7:11 P.M.²



Nancy Sikes-Kline, MAYOR



Darlene Galambos, CITY CLERK



² Transcribed by Elyse Wiemann