

**MINUTES**  
**REGULAR CITY COMMISSION MEETING**  
March 25, 2013  
CITY HALL, 800 SEMINOLE ROAD

**IN ATTENDANCE:**

Mayor Mike Borno	City Attorney Alan C. Jensen
Commissioner Mark Beckenbach	City Manager Jim Hanson
Commissioner Carolyn Woods	City Clerk Donna L. Bartle
	Recording Secretary Nancy E. Bailey

**ABSENT:**

Commissioner Jonathan Daugherty  
Mayor Pro Tem Maria Mark

**Call to Order/Pledge:**

Mayor Borno called the meeting to order at 6:30 p.m. Mayor Borno gave the Invocation, followed by the Pledge of Allegiance to the Flag.

1. A. Approve the minutes of the Regular Commission Meeting of March 11, 2013.
- B. Approve the minutes of the Commission Briefing of March 7, 2013.

Mayor Borno asked if there were any corrections to the above minutes and there being none, he stated the minutes will stand as submitted.

**2. Courtesy of the Floor to Visitors.**

Mayor Borno opened the Courtesy of the Floor to Visitors. He stated there were three proclamations but there was no one here to receive two of them.

- A. Proclamation declaring May 5 through May 11, 2013 as Municipal Clerks Week.

Mayor Borno read the proclamation declaring May 5 through May 11, 2013 as Municipal Clerks Week and presented it to City Clerk Donna Bartle, congratulating her and her staff. Ms. Bartle thanked him for his support and recognition and for allowing her to further her education. She stated she has really good staff and this goes to them as well.

- B. Proclamation declaring April 9, 2013 as National Service Recognition Day.
- C. Proclamation declaring the month of April as Child Abuse Prevention Month.

Mayor Borno further stated the other proclamations were in recognition of National Service Day coming up and also declaring the month of April as Child Abuse Prevention Month and they will see that they get to the appropriate agencies.

Mayor Borno welcomed the audience and explained the process for public comments.

**John November, 647 Beach Avenue**, thanked River Branch Preserve Foundation stating they were blessed to have someone so generous to know the value of our natural resources in this community and come to our aid to make that a reality. He stated Mr. Parks told him if they had not gone to him this year, he was going to

put a contract for sale this January to put a house on that property. He stated the fact that they avoided that and continue the integrity and pristine nature and quality of our marshes is fantastic. He stated Public Works has done a fantastic job putting in some new amenities. He further discussed acquiring the tract of land, Bennett's Landing, to add as an entrance to Tideviews Preserve.

No one else from the audience spoke so Mayor Borno closed the Courtesy of the Floor to Visitors.

Mayor Borno welcomed two boy scouts in the audience who are working on their merit badge.

### **3. Unfinished Business from Previous Meeting**

#### **A. City Manager's Follow-up Report.**

Mr. Hanson explained that Commissioner Daugherty was not here tonight due to his mother having emergency surgery which called him out of state.

### **4. Consent Agenda**

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COMMISSION AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY. SUPPORTING DOCUMENTATION AND STAFF RECOMMENDATIONS HAVE BEEN PREVIOUSLY SUBMITTED TO THE CITY COMMISSION ON THESE ITEMS.

#### **A. Acknowledge receipt of the Building Department Monthly Activity Report and the Utility Sales Report for February 2013.**

Mayor Borno read the Consent Agenda.

#### **Motion: Approve Consent Agenda Item A as read.**

Moved by Beckenbach, Seconded by Woods

#### **Votes:**

**Aye: 3 – Borno, Beckenbach, Woods**

**Nay: 0**

#### **MOTION CARRIED**

### **5. Committee Reports**

None.

### **6. Action on Resolutions**

None.

### **7. Action on Ordinances**

#### **A. ORDINANCE NO. 25-13-43, Introduction and First Reading**

AN ORDINANCE BY THE CITY COMMISSION AMENDING THE CITY OF ATLANTIC BEACH CODE OF ORDINANCES TO REPEAL CHAPTER 8 FLOOD HAZARD AREAS; TO ADOPT A NEW

CHAPTER 8 FLOODPLAIN MANAGEMENT ORDINANCE; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

Mayor Borno read Ordinance No. 25-13-43 by title.

**Motion: Adopt the attached Floodplain Management Ordinance revisions as recommended by the State of Florida Division of Emergency Management and the Community Development Board and approve Ordinance No. 25-13-43 as read.**

**Moved by Woods, Seconded by Borno**

Mayor Borno summarized the Ordinance.

Michael Griffin further explained the Ordinance, stating as a part of the City's participation in the National Floodplain Insurance Program and because we will be adopting new maps this June, we are required to revamp our Ordinance so it is compatible with the Florida Building Code. He stated there are no changes in the current ordinance but when it is brought back for the second reading there will be some formatting changes to the numbering and they will add our website into the ordinance. He answered questions from the Commission.

**Votes:**

**Aye: 3 – Borno, Beckenbach, Woods**

**Nay: 0**

**MOTION CARRIED**

**B. ORDINANCE NO. 60-13-18, Introduction and First Reading**

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, FLORIDA, AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES, SIGNS AND ADVERTISING STRUCTURES, ARTICLE I, IN GENERAL, SEC. 17-2, DEFINITIONS, AND ARTICLE II, SIGNS PERMITTED, SEC. 17-26, EXEMPT SIGNS, TO PROVIDE FOR THE NUMBER AND SIZE OF FLAGS, AND PROVIDING AN EFFECTIVE DATE.

Mayor Borno read Ordinance No. 60-13-18 by title.

**Motion: Approve Ordinance No. 60-13-18 as read.**

**Moved by Woods, Seconded by Beckenbach**

Mayor Borno summarized the Ordinance and the background on the flag issue. Mr. Hanson added that the City Attorney has proposed an amendment exempting the size of the American flag on City buildings and in City parks.

**Motion: Amend the motion to include the new verbiage as submitted on Section 17-26 (which is attached and made part of this Official Record as Attachment A).**

**Moved by Woods, Seconded by Borno**

**Votes:**

**Aye: 3 – Borno, Beckenbach, Woods**

**Nay: 0**

**MOTION CARRIED**

Mayor Borno called for a vote on the amended motion.

**Votes:**

**Aye: 3 – Borno, Beckenbach, Woods**

**Nay: 0**

**MOTION CARRIED**

**8. Miscellaneous Business**

A. (Public Hearing) Authorizing purchase of River Branch Property.

Mr. Hanson summarized the staff report, stating there will be a closing on the property tomorrow morning and if the Commission approves this they need to authorize the Mayor to sign the related documents at the closing.

**Motion: Approve the purchase of the property for a total cost of \$103,243.00 and authorize the Mayor to execute the necessary documents on behalf of the City.**

**Moved by Woods, Seconded by Beckenbach**

Mayor Borno opened the Public Hearing. No one from the audience spoke so he closed the Public Hearing.

Commissioner Woods stated this was a wonderful gift to the community and everyone is very grateful and appreciative.

**Votes:**

**Aye: 3 – Borno, Beckenbach, Woods**

**Nay: 0**

**MOTION CARRIED**

B. Videotaping Commission Meetings. (City Manager)

Mr. Hanson summarized Mr. Randich's staff report. He stated the next step is for the Commission to authorize the preparation of a budget amendment to get this done in the current fiscal year. He stated staff understood that the Commission wants to go to the multi-camera system, which will provide the better quality video for the public's use and explained the cost for this system. He stated if the Commission wants to proceed they will need a budget amendment for both the capital at \$31,000 and operating cost through the rest of the year at \$4,675 and staff will have that ready for a first reading at the next meeting.

**Motion: Authorize staff to prepare a budget ordinance to provide for \$31,000 in capital and \$4,675 (\$935 x 5 months) in operating costs to implement this project.**

**Moved by Woods, Seconded by Beckenbach**

Mayor Borno stated he was in favor of this because it takes away the ability to have misinformation and they are held accountable. He stated he believes if they are going to do it they should do it right the first time.

Commissioner Beckenbach stated he believes this is an excellent opportunity for the citizens to have more open government than we have had before and is pleased to be a part of giving everyone the opportunity to see how Atlantic Beach conducts their business.

Discussion ensued.

**Votes:**

**Aye: 3 – Borno, Beckenbach, Woods**

**Nay: 0**

**MOTION CARRIED**

**C. Pay and Classification Study Update.**

Mr. Hanson explained this was discussed in the strategic workshops and it was concluded the City should get a pay and benefits study done so it could be considered with the budget for the upcoming year. He stated this report is to get the Commission to also put that in the upcoming budget amendment. He stated our HR Director was able to piggyback with the consultant who just completed a similar study for Jacksonville Beach so the cost would be \$7,500, which would look at both pay and benefits.

**Motion: Authorize Cody Associates to conduct a Pay and Classification Study update at an estimated cost of \$7,500 and authorize the City Manager to enter into and sign appropriate documents.**

**Moved by Borno, Seconded by Beckenbach**

Mayor Borno further explained this scope of work will include point factor job evaluation system, position evaluation and review of current descriptions, salary surveys, market pricing, fringe benefit analysis, review of pay grades and salary structure, and review of compliance with Fair Labor Standards Act. He stated this report will include compensation methodology and recommendations.

Commissioner Beckenbach stated he received a letter from a citizen questioning whether or not this was just going to be government positions that would be reviewed or whether it would be both private and public positions. He stated in order to know what the private competition is, they should incorporate into this not only public but also private. Mr. Hanson stated they will be looking at the private sector also, explaining that it depends on the job, so they will get information from both sectors. Discussion ensued.

**Votes:**

**Aye: 3 – Borno, Beckenbach, Woods**

**Nay: 0**

**MOTION CARRIED**

**9. City Manager**

**A. City Manager's Report.**

None.

**10. Reports and/or requests from City Commissioners and City Attorney**

**Commissioner Woods**

- Gave a shout out to Donna Kaluzniak for having the water loss go down.
- Happy Easter.

**Mayor Borno**

- Recognized and thanked the representatives who were here from River Branch.
- Reported on his trip to Tallahassee for the Florida League of Cities Legislative Action Days.

**Adjournment**

There being no further business to come before the Commission, the Mayor declared the meeting adjourned at 7:08 p.m.

*Mike Borno*

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Mike Borno  
Mayor/Presiding Officer

ATTEST:

*Donna L. Bartle*

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Donna L. Bartle, CMC  
City Clerk

## ORDINANCE NO. 60-13-18

**AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, FLORIDA, AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES, SIGNS AND ADVERTISING STRUCTURES, ARTICLE I, IN GENERAL, SEC. 17-2, DEFINITIONS, AND ARTICLE II, SIGNS PERMITTED, SEC. 17-26, EXEMPT SIGNS, TO PROVIDE FOR THE NUMBER AND SIZE OF FLAGS, AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COMMISSION ON BEHALF OF THE PEOPLE OF THE CITY OF ATLANTIC BEACH, FLORIDA:**

**SECTION 1:** The following definitions contained in Sec. 17-2, Definitions, of the Code of Ordinances of the City of Atlantic Beach, Florida, are hereby amended to read as follows:

*“Flag:* A piece of cloth or similar material having a distinctive size, color, and design used as a symbol, standard, signal and other similar items of recognition and may include insignias of governmental, religious, charitable, fraternal or other organizations. Any flag and pole or attachment that frequently holds a flag shall be deemed a permanent flag. ~~This definition of flag shall not include the flag of the United States of America.”~~

*“Sign:* Any identification, description, illustration, or device illuminated or non-illuminated, which is visible from any outdoor place, open to the public and which directs attention to a product, service, placed, activity, person, institution, or business thereof, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, **flag**, placard, designed to advertise, identify, or convey information, with the exception of customary window displays, official public notices and court markers required by federal, state or local regulations; also excepting, newspapers, leaflets and books intended for individual distribution to members of the public, attire that is being worn, badges, and similar personal gear. ~~“Sign” shall also include all outdoor advertising displays as described in Section 3108.1.1, Florida Building Code, and all signs shall conform to the requirements of Section 3108 of the Florida Building Code.”~~

*“Sign permit:* A development permit authorizing erection, placement or installation of a sign as permitted by this chapter in accordance with the requirements of ~~Section 3108 of the Florida Building Code~~ and article V of this chapter.”

**SECTION 2:** Sec. 17-26, Exempt Signs, of the Code of Ordinances of the City of Atlantic Beach, Florida, is hereby amended to add a new subsection (14) under paragraph (b) to read as follows:

“(14) Not more than two (2) flags per development parcel, but if there are two (2) flags, then one (1) must be the flag of the United States of America. A development parcel with more than one (1) principal structure may have two (2) flags for each principal structure with more than 5,000 square feet of fully enclosed floor area . Each flag shall not exceed twenty-four (24) square feet in area; however, this size limitation shall not apply to United States of America flags at public buildings and parks.”

**SECTION 3.** This Ordinance shall take effect immediately upon its final passage and adoption.

**PASSED** by the City Commission on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**PASSED** by the City Commission on second and final reading this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST:

\_\_\_\_\_  
DONNA L. BARTLE  
City Clerk

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LOUIS BORNO, JR.  
Mayor, Presiding Officer

Approved as to form and correctness:

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ALAN C. JENSEN, ESQUIRE  
City Attorney