

**GULF BREEZE CITY COUNCIL  
REGULAR MEETING**

JANUARY 19, 2010  
**TUESDAY, 6:30 P.M.**  
COUNCIL CHAMBERS

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Approval of Minutes of January 4, 2010 (Regular Meeting)  
Approval of CRA Minutes January 4, 2010 (Special Meeting)
4. Ordinance No. 01-10, Amending Sections 8-51 and 8-56 of the Municipal Code of Ordinances Relative to Storage of Vehicles
5. **ACTION AGENDA ITEMS:**
  - A. Discussion and Action Regarding Ordinance No. 01-10, Amending Sections 8-51 and 8-56 of the Municipal Code of Ordinances Relative to Storage of Vehicles (COVERED UNDER ORDINANCE SECTION ABOVE)
  - B. Discussion and Action Regarding Development Review Board Referral of January 5, 2010.
  - C. Discussion and Action Regarding Amendment of the City's Code of Ordinances, Special Exception for Front Yard Fences.
  - D. Discussion and Action Regarding AppRiver-Avalex Project Parking Garage, Request for Qualifications (RFQ)
  - E. Discussion and Action Regarding Local Government Academy
  - F. Discussion and Action Regarding Various Board Appointments
  - G. Discussion and Action Regarding Special Event Request from Gulf Breeze United Methodist Church- Annual 5K run, Saturday, February 20, 2010, 8:00 a.m.
  - H. Information Items
6. New Business:
7. Open Forum
8. Adjournment

**If any person decides to appeal any decisions made with respect to any matter considered at this meeting or public hearing, such person may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and any evidence upon which the appeal is to be based.**

**The public is invited to comment on matters before the City Council upon seeking and receiving recognition from the Chair.**

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF GULF BREEZE, FLORIDA**

The 1,073<sup>rd</sup> regular meeting of the Gulf Breeze City Council, Gulf Breeze, Florida, was held at the Gulf Breeze City Hall on Monday, January 4, 2010, at 6:30 p.m.

Upon call of the roll the following Councilmen were present: Dana Morris, J. B. Schluter, Richard Fulford, Joseph Henderson and Mayor Beverly Zimmern.

**APPROVAL OF MINUTES:**

Councilman Schluter moved for approval of the minutes for the regular meeting held on Monday, December 21, 2009. Councilman Henderson seconded. The vote for approval was 5-0.

**RESOLUTION NO. 01-10: CITY OF GULF BREEZE BEAUTIFICATION GRANT -  
U.S. HIGHWAY 98 STREETScape**

The City Manager explained the Resolution is to authorize the City Manager and his staff to enter into a Highway Beautification Grant Agreement and Landscape Construction and Maintenance Memorandum of Agreement with the Florida Department of Transportation.

Councilman Schluter moved for approval. Councilman Morris seconded. The vote for approval was 5 - 0.

**ACTION AGENDA ITEMS:**

- A.     **SUBJECT:   DISCUSSION AND ACTION REGARDING RESOLUTION  
NO. 01-10, CITY OF GULF BREEZE BEAUTIFICATION GRANT  
U.S. HIGHWAY 98 STREETScape**

COVERED UNDER RESOLUTION SECTION ABOVE.

- B.     **SUBJECT:   DISCUSSION AND ACTION REGARDING SSRUS BOARD  
RECOMMENDATION TO REPLACE THE 30 HP VERTICAL  
TURBINE RECLAIMED WATER PUMP AT THE WEST GOLF  
COURSE FOR A COST OF \$11,304**

Reference:     City Manager memo dated December 22, 2009

**RECOMMENDATION:**

That the City Council approve Gilbert Pump and Mechanical to replace the 30 HP vertical turbine reclaimed water pump in the west golf course pump house for a cost of \$11,304.

Councilman Fulford moved for approval. Councilman Morris seconded. The vote for approval was 5 - 0.

**C. SUBJECT: DISCUSSION AND ACTION REGARDING SPECIAL GAS REBATE PROGRAM INCREASED INCENTIVE FOR FEBRUARY 1, 2010 THROUGH APRIL 30, 2010**

Reference: Public Service Director memo dated December 18, 2009

**RECOMMENDATION:**

**That the City Council approve the increased incentive in our rebate program for 89 days beginning on February 1, 2010 and ending on April 30, 2010 and authorize staff to proceed with advertising.**

**D. SUBJECT: DISCUSSION AND ACTION REGARDING PAYMENT AUTHORIZATION TO LAND DESIGN INNOVATIONS, INC., OF \$8,584.44 FOR PROFESSIONAL SERVICES RENDERED**

COVERED UNDER SEPARATE COMMUNITY REDEVELOPMENT AGENCY MINUTES, ITEM A

**E. SUBJECT: DISCUSSION AND ACTION REGARDING U. S. HIGHWAY 98 STREETSCAPE - SB 1446 FDOT LANDSCAPE GRANT**

COVERED UNDER SEPARATE COMMUNITY REDEVELOPMENT AGENCY MINUTES, ITEMS B

**F. SUBJECT: DISCUSSION AND ACTION REGARDING REPLACEMENT OF 25 HP SUBMERSIBLE PUMP AT LIVE OAK LIFT STATION**

Reference: Public Service Director memo dated December 29, 2009

**RECOMMENDATION:**

**That the City Council authorize staff to purchase one (1) WILO/EMU 25 HP FA1065-286 pump for Live Oak Lift Station at a cost of \$9,098.**

Councilman Schluter moved for approval. Councilman Morris seconded. The vote for approval was 5 - 0.

**G. INFORMATION ITEMS**

**OPEN FORUM:**

Mr. Mike Handler, 1195 Grand Pointe, Gulf Breeze, asked questions regarding City Council approving South Santa Rosa Utility Board recommendations.

Mr. Handler asked if the City Council had reviewed the draft white paper report for the history of South Santa Rosa Utility. The Council indicated they would review the report after it has been finalized.

Mr. Russ Silver, 1194 Grand Pointe, Gulf Breeze, asked questions regarding the CDBG the City acquired for sewer in lower income areas and how the lower income areas outside the City limits could obtain a grant for the South Santa Rosa Utility areas. The City Manager indicated he would look into how a grant could be obtained for that area and discuss the issue with Santa Rosa County officials.

Councilman Morris asked about a time for the demolition of the Benson complex. The City Manager explained a demolition company was in town to demolish a residence and will then work on the Benson complex.

Councilman Morris also asked if the City Manager had talked with Principal Ladner at Gulf Breeze High School regarding a program for High School students interested in local government. The City Manager explained school officials indicated they would get with the City Manager when school started again after the holidays. Schools started again today, Monday, January 4, 2010.

**ADJOURNMENT:**

The Mayor adjourned the City Council meeting at 6:55 p.m.

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CITY CLERK

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MAYOR

Councilman Fulford moved for approval. Councilman Morris seconded. The vote for approval was 5 - 0.

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Councilman Morris asked about a time for the demolition of the Benson complex. The City Manager explained a demolition company was in town to demolish a residence and will then work on the Benson complex.

Councilman Morris also asked if the City Manager had talked with Principal Ladner at Gulf Breeze High School regarding a program for High School students interested in local government. The City Manager explained school officials indicated they would get with the City Manager when school started again after the holidays. Schools started again today, Monday, January 4, 2010.

**ADJOURNMENT:**

The Mayor adjourned the City Council meeting at 6:55 p.m.

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CITY CLERK

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MAYOR

**MINUTES OF A MEETING OF THE BOARD OF DIRECTORS  
FOR THE COMMUNITY REDEVELOPMENT AGENCY**

A meeting of the Board of Directors for the Community Redevelopment Agency, Gulf Breeze, Florida, was convened at the Gulf Breeze City Hall on Monday, January 4, 2010, at 6:37 p.m.. Upon call of the roll for the Community Redevelopment Agency meeting the following Board members were present: Councilmen Dana Morris, J. B., Schluter, Richard Fulford, Joseph Henderson, and Mayor Beverly Zimmern.

The purpose of the meeting was for the Board of Directors for the Community Redevelopment Agency to consider the following items:

**A. SUBJECT: DISCUSSION AND ACTION REGARDING PAYMENT OF INVOICE TO LAND DESIGN INNOVATIONS FOR \$8,584.44**

Reference: Assistant City Manager memo dated December 28, 2009

**RECOMMENDATION:**

**That the Board authorize payment of \$8,584.44 to Land Design Innovations, Inc., for professional services rendered.**

Councilman Schluter moved for approval. Councilman Henderson seconded. The vote for approval was 5 - 0.

**B. SUBJECT: DISCUSSION AND ACTION REGARDING U. S. HIGHWAY 98 STREETSCAPE - SB 1446 FDOT LANDSCAPE GRANT**

Reference: Assistant City Manager memo dated December 29, 2009

**FIRST RECOMMENDATION:**

**That the Board authorize staff to issue a Request for Proposal (RFP) for a consultant to prepare construction ready landscape and irrigation plans for improvements to the U.S. Highway 98 Streetscape.**

**SECOND RECOMMENDATION:**

**That the Board approve using \$350,000 from the current FY 2010 CRA Capital Improvement budget to build fencing along U.S. Highway in conjunction with the landscaping.**

Councilman Schluter moved for approval. Councilman Morris seconded. The vote for approval was 5 - 0.

**ADJOURNMENT:**

Mayor Zimmern adjourned the meeting at 6:41 p.m.

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CITY CLERK

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MAYOR

Councilmen Present: Dana Morris, Richard Fulford, Joseph Henderson  
and Mayor Beverly Zimmern

**ACTION AGENDA ITEMS:**

**A. SUBJECT: DISCUSSION AND ACTION REGARDING DEVELOPMENT  
REVIEW BOARD REFERRAL OF JANUARY 5, 2010**

Reference: Development Review Board Minutes of January 5, 2010

1. RICHARD WELLS - 116 Highpoint Drive  
Requesting to Construct an Approximately 225 foot  
Vinyl Seawall that will replace an existing seawall

**RECOMMENDATION:**

**That the City Council accept the project as presented.**

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**B. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE NO.  
01-10, AMENDING SECTION 8-51 AND 8-56 OF THE CODE  
OR ORDINANCES RELATIVE TO STORAGE OF VEHICLES**

Reference: City Manager memo dated January 7, 2010

**RECOMMENDATION:**

**That Ordinance No. 01-10 be approved on First reading and that Second  
Reading and Public Hearing be advertised for Tuesday, February 16, 2010.**

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**C. SUBJECT: DISCUSSION AND ACTION REGARDING AMENDMENT TO  
THE CITY'S CODE OF ORDINANCES, SPECIAL EXCEPTION  
FOR FRONT YARD FENCES**

Reference: City Manager memo dated January 7, 2010

**RECOMMENDATION:**

**That the City Council approve the following concepts and direct staff and City  
Attorney to finalize an ordinance for first reading: (1) Require fence to be**

attractive and an improvement to the area where it is located; (2) specify that plant material should, for the most part, shield the metal panels after three (3) years; (3) Limit the metal panel part of the fence in the front yard to six (6) feet. The brick columns can be up to eight (8) feet in height; (4) The columns be at least eight (8) feet apart to help limit the "mass" of a front yard fence; (5) and 6: Addressing the "need" - a smaller lot may not have the same need for a front yard fence as a large lot which has both frontage on a street and a rear yard on the water; and (7) Language included so that public safety personnel can always gain access to a property.

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**D. SUBJECT: DISCUSSION AND ACTION REGARDING APPRIVER-AVALEX PROJECT PARKING GARAGE, REQUEST FOR QUALIFICATIONS (RFQ)**

Reference: Assistant City Manager memo dated January 13, 2010

**RECOMMENDATION:**

That the City Council approve the selection of Bay Design as the City's Architect for design of the AppRiver-Avalex parking garage and direct staff to enter into negotiation with Bay Design on a contract for professional services.

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**E. SUBJECT: DISCUSSION AND ACTION REGARDING LOCAL GOVERNMENT ACADEMY**

Reference: City Manager memo dated January 7, 2010

**RECOMMENDATION:**

That the City Council approve the Youth Academy and direct staff to implement the program at Gulf Breeze High School during the Spring semester.

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**F. SUBJECT: DISCUSSION AND ACTION REGARDING VARIOUS BOARD APPOINTMENT**

Reference: City Clerk memo dated January 6, 2010

**RECOMMENDATION:**

That City Council appoint the following Board members:

**DEVELOPMENT REVIEW BOARD:** That the City Council reappoint Ms. Maureen Hill, two other full time Board members and two alternates to term that will expire on 2012.

**BOARD OF ADJUSTMENT:** That the City Council appoint Ms. Ellie Ackley and Ms. Patricia Briska for a second term and two alternates to terms which will expire in 2013.

**SOUTH SANTA ROSA UTILITY BOARD:** That the City Council reappoint the following Board Members: Richard Fulford, Robert Sauer, Terry Mills, Otto Prochaska, Richard Snyder and Tom Naile for another term which will expire in 2012.

**ADVISORY PARK BOARD:** That the City Council appoint all Board members to serve another two year term that will expire in 2011 and eliminate term limitations.

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**G. SUBJECT: DISCUSSION AND ACTION REGARDING GULF BREEZE PEDESTRIAN OVERPASS**

Reference: Assistant City Manager memo dated January 8, 2010

**RECOMMENDATION:**

Item G was withdrawn for further study by staff. No action taken.

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**H. SUBJECT: DISCUSSION AND ACTION REGARDING SPECIAL EVENT  
REQUEST FROM GULF BREEZE UNITED METHODIST  
CHURCH - ANNUAL 5K RUN, SATURDAY, FEB. 20, 2010, 8 A.M.**

Reference: Deputy Police Chief Memo dated January 6, 2010

**RECOMMENDATION:**

**That the City Council approve the Methodist Church Special Event request.**

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**I. INFORMATION ITEMS  
----- See memo regarding Jimmy Hobbs**



# *City of Gulf Breeze*

OFFICE OF THE CITY MANAGER

## Memorandum

To: Mayor and City Council

From:  Darwin A. Eddy, City Manager

Date: 1/14/2010

**Subject: Ordinance No. 01-10, Amending Sections 8-51 and 8-56 of the Municipal Code of Ordinances Relative to Storage of Vehicles**

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Attached is a copy of Ordinance 01-10 as described above in a suitable form for First Reading. Please recall that definitions of "parking" and "storage" have been added to Section 8-51. Section 8-56 a (5 and 6) are new. In addition Section 8-56 b (1-5) are all new.

***RECOMMENDATION:***

**THAT ORDINANCE 01-10 BE APPROVED ON FIRST READING AND A PUBLIC HEARING AND SECOND READING BE ADVERTISED FOR TUESDAY, FEBRUARY 16, 2010.**

**ORDINANCE NO. 01-10**

**AN ORDINANCE OF THE CITY OF GULF BREEZE FLORIDA, PERTAINING TO THE EXTERIOR STORAGE OF VEHICLES, BOATS AND TRAILERS; AMENDING SECTION 8-51 AND 8-56 OF THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Gulf Breeze had adopted certain rules and regulations relative to the exterior storage of vehicles, boats and trailers; and,

**WHEREAS**, the City Council has recently undertaken steps to help revitalize and enhance the appearance of residential neighborhoods; and,

**WHEREAS**, the City Council found through a series of workshops that the citizens desire to enhance the current rules and regulations that pertain to the exterior storage of vehicles, boats and trailers.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Gulf Breeze, Florida, as follows:

**SECTION 1** - Section 8-51. Definitions is hereby amended to read:

Sec. 8-51. Definitions

*Abandoned property* means all motor vehicles, boats, vessels or any other property of any kind or description remaining unattended for a continuous period of seventy-two (72) hours or more ~~days~~ on any park, parking lot, alley, street, public way or private property of the city or in or upon the waters abutting any property of the city.

*Parking* shall mean the standing of a vehicle for a period time equal to or less than seventy-two (72) hours.

*Storage* shall mean the standing of a vehicle for a period time greater than seventy-two (72) hours.

**SECTION 2** – Section 8-56. Exterior storage of nonoperating vehicles, boats and trailers is hereby amended as follows:

**Sec. 8-56. Exterior storage of vehicles, boats and trailers.**

(a) Nonoperating vehicles, boats and trailers.

- (1) No person who owns or is in possession of, in charge of or in control of any property shall keep or allow a nonoperating vehicle, boat, camper or any trailer designed to be pulled by a vehicle to remain in full view on such property longer than 30 days. A nonoperating vehicle is a vehicle which cannot be readily moved under its own power or which is not currently and properly licensed for operation by the state. A nonoperating boat is a boat which is not seaworthy or is not currently licensed for operation by the state.

A nonoperating boat trailer, camper or other trailer is one which is not readily transportable on its own tires or is not currently licensed by the state.

- (2) No ongoing, continuous body work or repair work or similar activities to automobiles, boats, trailers and vehicles is allowed on private property longer than 30 days. Any such activities must be moved to an enclosed building, garage or be so located and fenced so as not to be visible from any public place or street.
  - (3) This section shall not apply to any vehicle, boat or trailer in an enclosed building, or so located upon the premises as not to be visible from any public place or street.
  - (4) This section shall not apply to any vehicle, boat or trailer on the premises of a city-licensed business enterprise operated in a nonresidential district when the keeping or maintaining of such vehicle, boat or trailer is necessary to the operation of such business enterprise, otherwise known as purposeful inventory, or to any vehicle, boat or trailer in an appropriate storage place or depository maintained in a lawful place by the city or any public agency.
  - (5) No person who owns or is in possession of, in charge of or in control of any property shall keep or allow a vehicle, boat, camper or any trailer designed to be pulled by a vehicle to be parked or stored in any public or private right-of-way.
  - (6) Any person who is in violation of this section shall be issued a Notice of Violation and shall be allowed 7 calendar days for the performance of such acts which will render the property in conformity with section.
- (b) Storage of vehicles, boats and trailers.
- (1) Any recreational vehicle, camper, bus, flatbed truck, travel trailer, equipment trailer, boat, boat trailer, commercial vehicle or similar type vehicle stored on any residential parcel shall be maintained in a condition or appearance free from holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay, neglect or lack of maintenance, or loss of operating ability.
  - (2) The area immediately under, adjacent to and surrounding any stored recreational vehicle, camper, bus, flatbed truck, travel trailer, equipment trailer, boat, boat trailer, commercial vehicle or similar type vehicle shall be kept clear of any debris, trash, filth, garbage, refuse, rubbish, waste, junk, parts, castoffs, oddments, litter, leavings, ruins.
  - (3) The area immediately under, stored recreational vehicle, camper, bus, flatbed truck, travel trailer, equipment trailer, boat, boat trailer, commercial vehicle or

similar type vehicle shall be keep clear of any weeds, grasses or other vegetative material in excess of twelve (inches) in height.

- (4) No recreational vehicle, camper, bus, flatbed truck, travel trailer, equipment trailer, boat, boat trailer, commercial vehicle or similar type of vehicle shall be stored on any public or private right-of-way.
- (5) Any person who is in violation of this section shall be issued a Notice of Violation and shall be allowed 7 calendar days for the performance of such acts which will render the property in conformity with section.

**SECTION 7 - SEVERABILITY**

If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by any court to be unconstitutional, inoperative, invalid or void, such holding shall not in any manner affect the validity of the remaining portions of this Ordinance.

**SECTION 8 - CONFLICT**

The provisions of this Ordinance shall be deemed to control and prevail over any ordinance or portion thereof in conflict with the terms hereof.

**SECTION 9 - EFFECTIVE DATE**

This Ordinance shall become effective upon its adoption by the City Council.

PASSED ON THE FIRST READING ON THE 19<sup>TH</sup> DAY OF JANUARY, 2010.

ADVERTISED ON THE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

PASSED ON THE SECOND READING ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

By: \_\_\_\_\_  
Beverly Zimmern, Mayor

ATTESTED TO BY:

\_\_\_\_\_  
Marita Rhodes, City Clerk