

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

The 1,073rd regular meeting of the Gulf Breeze City Council, Gulf Breeze, Florida, was held at the Gulf Breeze City Hall on Monday, May 3, 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.

TOWN MEETING - 6:00 P.M.

The Mayor opened the Town Meeting by reading a statement regarding the City being a Tree City U.S.A. and "Gilchrist Grove", trees planted on Shoreline Drive from the Library to the ball fields in honor of former Mayor Lane Gilchrist.

She also discussed the oil spill which took place in the Gulf at the end of April. She assured everyone she would keep the residents updated.

The City Manager presented a power point presentation of the City's finances, expenditures and revenues.

After the City Manager's presentation the Mayor opened the floor for Council comment. Councilman Morris stated it was nice to have everyone here for the Town Meeting. There were no other Council comments.

The Mayor opened the floor for public input. The following individuals spoke: Ms. Meg Peltier, 409 Gulf Breeze Parkway - thanked the Council for their support and asked for help with funding from the Community Redevelopment Agency; Mr. Bruce DeMotts, 827 Baycliff Road - asked about the oil spill and if there is thought that the City beach areas might be breached and he asked about the stormwater drainage program.

There were no other comments and the Mayor closed the Town Meeting at 6:30 p.m. and convened the Regular City Council meeting.

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

APPROVAL OF MINUTES:

Councilman Morris moved for approval of the minutes for the regular meeting held on Monday, April 19, 2010. Councilman Schluter seconded. The vote for approval was 5 - 0.

**ORDINANCE NO. 04-10: AMENDING SECTION 21-72 OF THE MUNICIPAL CODE,
FRONT YARD FENCES, ALLOWING STAFF TO
DETERMINE IF CRITERIA FOR FRONT YARD FENCES
ARE MET -SECOND READING AND PUBLIC HEARING**

_____The Ordinance was read by title only by the City Clerk. The City Manager discussed the ordinance and the Mayor opened the Public Hearing for comments. There were no comments made and the Public Hearing was closed. Councilman Henderson moved for approval of the ordinance. Councilman Morris seconded. The vote for approval was 5 - 0.

**RESOLUTION NO. 12-10: CREATING A REBATE PROGRAM FOR BOAT RAMP
PERMITS**

_____The Resolution was read by title only by the City Clerk. Councilman Morris moved for approval of the Resolution. Councilman Schluter seconded. The vote for approval was 5 - 0.

**RESOLUTION NO. 13-10: AUTHORIZING ISSUANCE OF 2010 PARTICIPATION
LOAN PROGRAM**

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

CONSENT AGENDA ITEMS:

RECOMMENDATION:

That the City Council approve the following Consent Agenda Items: A, B, C, D, E, F, G, H, I and J:

- A. **SUBJECT: DISCUSSION AND ACTION REGARDING ANNUAL TOWN MEETING, MONDAY, MAY 3, 2010, 6:00 P.M.**

Reference: City Manager memo dated April 23, 2010

RECOMMENDATION:

That City Council hold a Town Meeting on the next regular Council meeting, to be held on Monday, May 3rd at City Hall, 6:00 p.m.

- B. SUBJECT: DISCUSSION AND ACTION REGARDING RESOLUTION NO. 13-10, AUTHORIZING ISSUANCE OF 2010 PARTICIPANT LOAN PROGRAM**

COVERED UNDER RESOLUTION SECTION ABOVE

- C. SUBJECT: DISCUSSION AND ACTION REGARDING SPECIAL EVENT REQUEST FOR CAPT'N FUN RUN ON SATURDAY, AUGUST 7, 2010, 7:30 A.M.**

Reference: Deputy Chief memo dated April 19, 2010

RECOMMENDATION:

That the City Council approve the special event request for Capt'n Fun Run to be held on Saturday, August 7, 2010, at 7:30 a.m.

- D. SUBJECT: DISCUSSION AND ACTION REGARDING RECOMMENDED AWARD FOR REQUEST FOR QUALIFICATIONS FOR FISHING BRIDGE DECONSTRUCTION CONSULTING**

Reference: Finance Director memo dated April 23, 2010

RECOMMENDATION:

That the City Council direct staff to pursue negotiations with Tetra Tech, Inc., to engage them as consulting engineers for the deconstruction of the fishing bridge.

- E. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE NO. 04-10, AMENDING SECTION 21-72 OF THE MUNICIPAL CODE, FRONT YARD FENCES**

COVERED UNDER ORDINANCE SECTION ABOVE

- F. SUBJECT: DISCUSSION AND ACTION REGARDING RESOLUTION 12-10, CREATING A REBATE PROGRAM FOR BOAT RAMP PERMITS**

COVERED UNDER RESOLUTION SECTION ABOVE.

G. SUBJECT: DISCUSSION AND ACTION REGARDING REQUEST TO AMEND CAPITAL PROJECTS LIST, PURCHASE OF E-911 VOICE RECORDER

Reference: City Manager memo dated April 23, 2010

RECOMMENDATION:

That the City Council approve a change to the Capital Budget as follows: Sunset Kids Park Restrooms \$100,000 -\$15,900 = \$84,100; new entry - Replace E-911 Voice Recorder \$15,900.

H. SUBJECT: DISCUSSION AND ACTION REGARDING EMPLOYEE PARTICIPATION IN DISPOSAL OF SURPLUS

Reference: City Manager memo dated April 21, 2010

RECOMMENDATION:

That the City Council direct staff to prepare a Resolution amending the City Personnel Manual prohibiting staff and their immediate families from purchasing surplus equipment.

I. SUBJECT: DISCUSSION AND ACTION REGARDING FLORIDA DEPARTMENT OF TRANSPORTATION - SB 1446 LANDSCAPING GRANT ARCHITECTURE CONSULTING SERVICES CONTRACT

Reference: Assistant City Manager memo dated April 23, 2010

RECOMMENDATION:

That the City Council accept the Land Design Innovations contract (work order) for services in the amount of \$29,900 and direct the City Manager to sign the contract for the City.

J. SUBJECT: DISCUSSION AND ACTION REGARDING FORFEITED PENSION FUNDS

Reference: City Manager memo dated April 22, 2010

RECOMMENDATION:

That the City Council direct staff to advise the City's pension fund trustee to convert forfeited funds in the pension fund to regular pension fund contributions until the forfeited funds amount is zero.

Councilman Henderson moved for approval of Consent Agenda Items A, B, C, D, E, F, G, H, I and J. Councilman Fulford seconded. The vote for approval was 5 - 0.

ACTION AGENDA ITEMS:

A. SUBJECT: DISCUSSION AND ACTION REGARDING SECOND ADDITION TO DRIFTWOOD SUBDIVISION LOCATED ON NORTH END OF LIVE OAK STREET

Reference: Community Services Director memo dated April 22, 2010

RECOMMENDATION:

That the City Council approve the project with the following variances: (1) Variance from Section 21-84 Front and Rear Yard Setbacks: For a 20 foot front and rear setback instead of a 30 foot as required by the Land Development Code (LDC); (2) Variance from Section 21-84 Side Street Setback: For a 5.5 foot side street setback on the lot immediately adjacent to Live Oak Street, the Land Development Code requires a 15 foot side street setback; (3) Variance from Section 21-85 Detached Structures to allow a generator or HVAC equipment to be located within the 5 foot setback to be worded in such a way that only a generator or HVAC generator or HVAC equipment could be located within the setback; (4) Variance from Section 21-83 allowing a minimum lot size from 9,000 square feet to a minimum lot sizes ranging from 4,441 square feet to 5,224 square feet; (5) Variance from Section 24-99 Storm-Water Requirements to require no retention pond: and (6) Variance from Section 21-140 requiring a minimum 24 road width to 22 feet road width.

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

B. SUBJECT: DISCUSSION AND ACTION REGARDING ACQUISITION OF 2 Berry DRIVE, FEMA ALTERNATIVE PROJECT #16

Reference: Finance Director memo dated April 22, 2010

RECOMMENDATION:

That the City Council authorize the acquisition of 2 Berry Drive by the City of Gulf Breeze and authorize Mayor Zimmern and/or City Manager Eddy to sign necessary closing documents; and that accomplish that acquisition, the City Council authorize the expenditure of \$178,000 to purchase the lot and authorize not more than \$5,000 in additional costs for appraisal, legal review, closing and recording costs, and survey cost. Upon closing and completion of the acquisition, that Council authorize staff to submit such expenditures for reimbursement under PW3817-V2, the alternative projects.

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

C. INFORMATION ITEMS

**NEW BUSINESS: DISCUSSION AND ACTION REGARDING AUTHORIZATION
FOR MAYOR TO TAKE ACTION REGARDING OIL SPILL**

Reference: City Manager verbal report

RECOMMENDATION:

That the City Council empower the Mayor to take such action as needed as the oil spill situation changes.

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

COUNCIL COMMENTS:

Councilman Schluter asked if the Chamber of Commerce has taken a position on height limitations in the Community Redevelopment Agency district. The response was that the Chamber does not have a position now.

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Councilman Fulford asked if the Reverse 911 system could be used to update residents of the changes in the oil spill. The City Manager indicated the Reverse 911 System could be used and also the e-mail alert system will be used.

ADJOURNMENT:

The Mayor adjourned the meeting at 6:50 p.m.

CITY CLERK

MAYOR