

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

The 1,133<sup>rd</sup> regular meeting of the Gulf Breeze City Council, Gulf Breeze, Florida, was held at the Gulf Breeze City Hall on Monday, July 20, 2009 at 6:30 p.m.

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

**APPROVAL OF MINUTES:**

Councilman Fulford moved for approval of the minutes for the regular meeting held on Monday, July 6, 2009. Councilman Schluter seconded. The vote for approval was 4 - 0.

**ORDINANCE NO. 11-09: AMENDING THE RETIREMENT PLAN AND TRUST FOR  
POLICE OFFICERS RELATIVE TO REQUESTS FOR  
CREDIT OF MILITARY SERVICE - FIRST READING**

The ordinance was read by title only by the City Clerk. The City Manager explained the purpose of the ordinance. Councilman Henderson moved for approval of the ordinance on First Reading and schedule the Public Hearing and Second Reading for Monday, August 3, 2009. Councilman Schluter seconded. The vote for approval was 4 - 0.

**ORDINANCE NO. 12-09: PERTAINING TO ACCESSORY STRUCTURES -  
FIRST READING**

The Ordinance was read by title only by the City Clerk. The City Manager reviewed the reasons for the ordinance. Councilman Henderson moved for approval of the ordinance on First Reading and schedule the Public Hearing and Second Reading for Monday, August 3, 2009. Councilman Fulford seconded. The vote for approval was 4 - 0.

**CONSENT AGENDA ITEMS:**

**RECOMMENDATION:**

**That the City Council approve the following Consent Agenda Items: A, F and G:**

**A. SUBJECT: DISCUSSION AND ACTION REGARDING DEVELOPMENT  
REVIEW BOARD REFERRAL**

\_\_\_\_\_ Reference: Development Review Board minutes dated July 7, 2009

\_\_\_\_\_ I. Peter Paulding - 308 North Sunset Boulevard

Request to Renourish the Beach in Front of Existing  
Seawall/Uplands Retaining Wall

**RECOMMENDATION:**

**That the City Council accept the project as presented contingent upon the Pauldings adhering to the six general conditions mandated by the FDEP.**

**F. SUBJECT: DISCUSSION AND ACTION REGARDING DEVELOPMENT REVIEW BOARD, APPOINTING ALTERNATE TO SERVE**

\_\_\_\_\_Reference: City Manager memo dated July 8, 2009

**RECOMMENDATION:**

**That the City Council appoint Board Alternate Maureen Hill to serve on the Development Review Board and select two (2) alternates.**

**G. SUBJECT: DISCUSSION AND ACTION REGARDING SCHEDULING MOBILE WORKSHOP**

\_\_\_\_\_Reference: City Manager memo dated July 8, 2009

**RECOMMENDATION:**

**That the City Council conduct a “Mobile Workshop” Tour of the City on Tuesday, July 21<sup>st</sup> from 6:00 p.m. to about 7:30 p.m.**

Councilman Henderson moved for Consent Agenda Items A, F, and G. Councilman Schluter seconded. The vote for approval of the Consent Agenda items was 4 - 0.

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**ACTION AGENDA ITEMS:**

**B. PUBLIC HEARING - REPLAT VARIANCE - JORDAN ESTATES, BEACH DRIVE:**

The Mayor explained to those present that this Public Hearing was for Public Comments regarding the request from Dr. Jordan for his replat variance request to divide his lot into two lots. She explained there would not be a decision made by City Council tonight. The replat

variance request will be heard by the Development Review Board at their regular meeting held on Tuesday, August 4, 2009, 6:30 p.m. and a recommendation will be forwarded to the City Council for its meeting to be held Monday, August 17, 2009, 6:30 p.m.

The Mayor addressed the Council members and asked each Councilman to disclose their exparte communications regarding the variance request. The Mayor offered the following: she visited the Jordan home when it was first rebuilt after being destroyed by Hurricane Ivan; she received the City Manager's memo with letters attached from individuals opposing the request; and she spoke with the City Manager. Councilman Schluter revealed that he received the memo from the City Manager with letters from individuals opposing the request; drove by the site a month ago; spoke to Brad Peterman, Rodney Rich and City Manager. Councilman Henderson stated he had walked by the property; received the memo from the City Manager with letters from individuals opposing the request; spoke with Rodney Rich and City Manager. Councilman Fulford reported that he received the memo from the City Manager with letters from individuals opposing the request; spoke with the City Manager, Wes Reeder, Jerry Brown, Lee Brown, Cathy Brown, Rodney Rich and Chad Rich.

The City Manager presented a power point presentation showing aerial views of how the Jordan home was situated before it was destroyed by Hurricane Ivan and where it is situated on the lot currently. He indicated there were some property owners along the street that did not want to attend the meeting but were against the request.

After the power point presentation the meeting was opened for public comments. The following individuals spoke regarding the project: Mr. Fred Thompson, 7142 Belgium Circle, Pensacola, FL.; Ms. Sally King, 59 Shoreline Drive. There were no other comments made and the Public Hearing for the Jordan request was closed. No City Council action is necessary at this time.

### **C. PUBLIC HEARING -VARIANCE REQUEST, FIRST ADDITION, DRIFTWOOD**

The Mayor explained to those present that this Public Hearing was for Public Comments regarding the request from the developer to obtain three variances for this site. She explained there would not be a decision made by City Council tonight. The replat variance request will be heard by the Development Review Board at their regular meeting held on Tuesday, August 4, 2009, 6:30 p.m. and a recommendation will be forwarded to the City Council for its meeting to be held Monday, August 17, 2009, 6:30 p.m.

The Mayor addressed the Council members and asked each Councilman to disclose their exparte communications regarding the variance request. The Mayor offered the following: she had

walked the property when it was being considered to build condominiums and received the memo with attachments from the City Manager. Councilman Schluter received the memo with attachments from the City Manager. Councilman Henderson received the memo with attachments from the City Manager and walked the property with Britton Stamps. Councilman Fulford received the memo with attachments from the City Manager.

\_\_\_\_\_The City Manager reviewed the variance request explaining the following three variance being requested: (1) Setbacks - Accessory Structures - the variance will allow air conditioning pads and generators to be placed within the required setback; (2) Driveway Width - a driveway 22 feet in width is provided rather than the required 24 foot width; and (3) Storm Water Retention - Given the natural features of this property with a bluff and extensive pervious area, the added requirement for additional storm water facilities is not necessary.

\_\_\_\_\_The Mayor opened the floor for public comments. There were no comments made and the Public Hearing for the Driftwood project was closed. No City Council action is necessary at this time.

**D. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE 11-09,  
AMENDING THE RETIREMENT PLAN AND TRUST FOR  
POLICE OFFICERS RELATIVE TO REQUESTS FOR CREDIT  
OF MILITARY SERVICE**

(COVERED UNDER ORDINANCE SECTION ABOVE.)

**E. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE 12-09,  
PERTAINING TO ACCESSORY STRUCTURES**

(COVERED UNDER ORDINANCE SECTION ABOVE.)

**H. INFORMATION ITEMS**

**NEW BUSINESS: DISCUSSION AND ACTION REGARDING RECOGNIZING  
CAPITAL TRUST AGENCY AS A COMMUNITY  
DEVELOPMENT ENTITY**

Reference: City Manager memo dated July 17, 2009

**RECOMMENDATION:**

**That the City Council recognize and affirm that Capital Trust Agency is a public economic development agency and is authorized to promote the general business and industrial interest of the City and the State of Florida. The foregoing authorization is non-exclusive. Other agencies or representatives of the City may also promote such interests.**

Councilman Schluter moved for approval. Councilman Henderson seconded. The vote for approval was 4 - 0.

**OPEN FORUM:**

The five individuals who submitted letters of interest and resumes for the vacant Seat A on the City Council attended the meeting. The following individuals introduced themselves and gave a brief background: Mr. Thomas (Tom) Naile; Gregory Adams, Mr. David Landfair; Mr. John Schuster and Mr. Dana Morris.

Mr. Ken Norris, 420 Kenilworth Avenue, read a letter regarding the renovation/addition project of a home at 151 Windsor Place. Mr. James Korndoffer, 416 Kenilworth Avenue, also read a letter regarding the same project.

**ADJOURNMENT:**

Mayor Zimmern adjourned the meeting at 7:40 p.m.

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CITY CLERK

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MAYOR