

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

The 1,134th regular meeting of the Gulf Breeze City Council, Gulf Breeze, Florida, was held at the Gulf Breeze City Hall on Monday, August 17, 2009, 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 Zimmern,.

APPROVAL OF MINUTES:

Councilman Schluter moved for approval of the minutes for the regular meeting held on Monday, August 3, 2009. Councilman Morris seconded. The vote for approval was 5 - 0.

Councilman Fulford moved for approval of the minutes for the special meeting held on August 3, 2009. Councilman Henderson seconded. The vote for approval was 5 - 0.

**ORDINANCE NO. 13-09: ADOPTING A NEW MUNICIPAL UTILITY SERVICE
TAX RATE -FIRST READING**

The ordinance was read by title only by the City Clerk. The City Manager reviewed the purpose of the ordinance. Councilman Schluter moved for approval of the ordinance on first reading and to schedule the second reading and public hearing for Thursday, August 27, 2009. Councilman Henderson seconded. The vote for approval was 5 - 0.

**ORDINANCE NO. 14-09: ADOPTING A NEW LOCAL COMMUNICATION
SERVICES TAX RATE - FIRST READING**

_____The ordinance was read by title only by the City Clerk. The City Manager explained the new tax rate. Councilman Fulford moved for approval and to schedule the second reading and public hearing for Thursday, August 27, 2009. Councilman Morris seconded. The vote for approval was 5 - 0.

**ORDINANCE NO. 15-09: CREATING A CHAPTER OF THE CITY'S CODE OF
ORDINANCES TO BE ENTITLED FAIR HOUSING
CODE - FIRST READING**

_____The ordinance was read by title only by the City Clerk. Councilman Henderson moved for approval of the ordinance and to schedule the second reading and public hearing for the next regular meeting to be held on Tuesday, September 8, 2009. Councilman Fulford seconded. The vote for approval was 5 - 0.

**ORDINANCE NO. 16-09: AMENDING SECTION 3-2(a), HOURS OF SALE
ALCOHOLIC BEVERAGES - FIRST READING**

The ordinance was read by title only by the City Clerk. The City Manager reviewed the ordinance. Councilman Henderson moved for approval of the ordinance and to schedule the second reading and public hearing on Thursday, August 27, 2009 (the ad for the ordinance was not published in time for the second reading and public hearing on August 27th therefore the second reading and public hearing was scheduled for Wednesday, September 2, 2009). Councilman Fulford seconded. The vote for approval was 4 - 1, with Councilman Schluter dissenting.

ACTION AGENDA ITEMS:

**A. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE NO.
13-09, ADOPTING A NEW MUNICIPAL UTILITY SERVICE
TAX RATE - FIRST READING**

(COVERED UNDER ORDINANCE SECTION ABOVE.)

**B. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE NO.
14-09, ADOPTING A NEW LOCAL COMMUNICATION
SERVICES TAX RATE - FIRST READING**

(COVERED UNDER ORDINANCE SECTION ABOVE.)

**C. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE NO.
15-09 CREATING A CHAPTER OF THE CITY'S CODE OF
ORDINANCES TO BE ENTITLED FAIR HOUSING CODE
FIRST READING**

(COVERED UNDER ORDINANCE SECTION ABOVE.)

**D. SUBJECT: DISCUSSION AND ACTION REGARDING ORDINANCE NO.
16-09, AMENDING SECTION 3-2(a), HOURS OF SALE
ALCOHOLIC BEVERAGES - FIRST READING**

(COVERED UNDER ORDINANCE SECTION ABOVE.)

**E. SUBJECT: DISCUSSION AND ACTION REGARDING DEVELOPMENT
REVIEW BOARD REFERRAL FROM AUGUST 4, 2009**

_____Reference: Development Review Board Minutes of August 4, 2009

_____Sam Lundy- 3010 /Westfield Road, Gulf Breeze, FL 32563
To create a Three Lot Subdivision Immediately Adjacent to and
East of the Driftwood Subdivision Located on Duncan Ave

RECOMMENDATION:

That the City Council approve the creation of a three lot subdivision immediately adjacent to the East of the Driftwood Subdivision Located on Duncan Drive.

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

F. SUBJECT: DISCUSSION AND ACTION REGARDING BEAUTIFICATION AWARDS

_____Reference: City Manager memo dated August 6, 2009

RECOMMENDATION:

No Council action necessary. The City Manager introduced Ms. Ellie Ackley, Chairman of the Beautification Committee. Ms. Ackley described how the awards were chosen and introduced the following Committee members to present the beautification award for their district: DISTRICT 1 - Julie Brill: award given to Regina and Keith Gerke, 451 York Street; DISTRICT 2 - Debbie Cederquist: award given to Mr. and Mrs. Sam Wilson, 121 Bear Drive; DISTRICT 3 - Triska Briska: Mr. William Johnson, 204 Poinciana; DISTRICT 4 - Rodney Sutton: award presented to Colleen Ongis, 285 Plantation Hill; DISTRICT 5 - Shirley Brougham: award presented to Guy Bouisseau, 1125 Tall Pines Trail; and DISTRICT 6 - Ms. Ellie Ackley: award presented to George Kimmel, 300 Fairpoint Drive.

G. SUBJECT: DISCUSSION AND ACTION REGARDING TREE PLANTING PROGRAM- ARBOR DAY 2010

_____Reference: City Manager memo dated August 6, 2009

RECOMMENDATION:

That the City Council Direct Staff to organize and promote a tree planting program to honor Lane Gilchrist for Arbor Day 2010.

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

H. SUBJECT: DISCUSSION AND ACTION REGARDING BENSON PROPERTY

_____Reference: Director of Community Services memo dated August 6, 2009

RECOMMENDATION:

That the City Council authorize staff to move forward with declaring the rear building of the Benson Complex an unsafe building and move forward with abatement procedures as specified in Section 8-28 of the City's Code of Ordinances. The Council also directed staff to apply all applicable Codes to the improvement of the other buildings.

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

I. SUBJECT: DISCUSSION AND ACTION REGARDING NEW MARKETS TAX CREDITS- CAPITAL TRUST AGENCY COMMUNITY DEVELOPMENT ENTITY

(COVERED UNDER SEPARATE MINUTES)

J. INFORMATION ITEMS

NEW BUSINESS: DISCUSSION AND ACTION REGARDING HEIGHT VARIANCE- QUIET WATER BUSINESS PARK EXPANSION

_____Reference: City Manager memo dated August 13, 2009

RECOMMENDATION:

That the City Council hold a Public Hearing on September 8, 2009 on a variance from the limitations on height for a Class A office building in the Quiet Water Business Park.

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

**NEW BUSINESS: DISCUSSION AND ACTION REGARDING APPOINTMENT TO
THE FLORIDA-ALABAMA TRANSPORTATION PLANNING
ORGANIZATION BOARD**

_____Reference: Assistant City Manager memo dated August 12, 2009

RECOMMENDATION:

That the City Council appoint Mayor Beverly Zimmern to be the voting member of the Florida-Alabama TPO and that the Council appoint J. B. Schluter as an alternate.

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

OPEN FORUM:

Mr. Alan Little, 304 Washington Avenue, spoke regarding the beautification program and parking boat trailers, campers, R.V.'s and vehicles on and around property.

Ms. Sally King, 59 Shoreline Drive, asked about the Jordan Estates project. Council informed Ms. King that the project had been withdrawn.

Mr. Walter Schroth, 113 Navarre, spoke regarding the beautification awards presented at the beginning of the meeting.

ADJOURNMENT:

Mayor Zimmern adjourned the meeting at 7:17 p.m. and convened a Special meeting for the Gulf Breeze Financial Services.

CITY CLERK

MAYOR