

MINUTES  
CITY COMMISSION MEETING  
March 23, 2015

The City Commission met this date in a special workshop session in the Commission Chambers. A quorum being present, the meeting was called to order at 6:00 PM, with the following in attendance.

Mayor	:	John B. Arnold, Jr.
Commissioners	:	Heyward H. Strong, Jr.
	:	Kay Hamilton
	:	Joe Morgan
	:	Clark (Tom) Browning, IV
City Clerk	:	Tammy Johnson
City Administrator	:	Carl Scott
Police Chief	:	Joe Hart
City Attorney	:	Hayward Dykes
Recorder	:	Beth Millsaps

Others in Attendance: (Not inclusive) Mike Matthews (camera), Rebecca R. Koelzer, Rob Holloway, B Luna, Brandon Wilson, M. Luna, Clark Browning V, Diane Kelley, Bill Smith, Obie O'Brien, Diane Diedrick, Terry Griffin

**WORKSHOP – Plat I Docks**

Plat I  
Docks

Mayor Arnold said the workshop this evening was for discussion only, no decisions would be made. Comm. Morgan has a proposed ordinance that he is working on and wanted to bring the Commission up to date on his progress, the ordinance would still require two readings and votes before it is passed. Mayor Arnold asked that everyone keep the decorum of the meeting in mind and also the time if they chose to speak.

Comm. Morgan said we have held several public workshops regarding docks, the Plat I docks in particular, the concern is the moratorium that is in place preventing building or repairing of docks in that Plat. Comm. Morgan said this area will be a sort of pilot project, Plat I is a defined area with no owner dispute. He feels this ordinance would be a win win for the Commission as well as the citizens living in this area. Comm. Morgan said it is his goal to make this procedure as transparent as possible and the ordinance as clear as it can be. He said this ordinance is actually a reiteration of facts and current ordinances it is also clearly worded and neighborly driven. With this ordinance the City Commission will not be arbitrators and will not be getting involved in neighbor disputes. He said he feels this ordinance addresses what people are concerned about, no porcupine shoreline, providing for 40' individual dock to 50' for a shared dock. We will make exceptions to reach navigable waterways, the aesthetics' no boat covers that would obstruct the view and be environmentally sensitive, proper DEP and Corp of Engineer guidelines. Comm. Morgan said within the ordinance will be a clear process for repair, that as long as within current footprint the repair is allowed, also clearly defined are walkways and what docks consist of. Comm. Morgan presented his power point presentation.

After the presentation Ms. Rebecca Koelzer, asked in reference to Comm. Morgan's statement of dock pilings to 36" above deck of dock, if there is a hurricane that has a 10' surge what then. Comm. Morgan said this is a number that he and Mr. Bill Smith, came up with, his dock is 2' to 3' above high water line and that is kind of where they drew it if needs to be adjusted it can. Two slips will be allotted to each owner shared dock a total of four slips.

Mr. Mike Luna, 1263 Bayshore Drive, said he has an existing shared dock with Mr. Patrick Pertuit that they have had for 15 years or more, would that dock have to be brought down to size. Comm. Morgan said as long as your dock is that long to reach navigable water ways then it could stay as it is.

Comm. Morgan also said if someone wanted utilities to their dock that is possible, as it is currently stated in the provisions of the code to do that. He said in the current code it would be the builders cost but the city's vendor. Comm. Morgan also stated there would be no commercial activity allowed on any docks.

Mayor Arnold asked why limit docks to adjoining property owners, seems like a special benefit instead of using lottery system. Comm. Morgan said as you read the proposed ordinance it doesn't exclude that from happening. Mayor Arnold said there is no method provided. Comm. Morgan said this is a pilot program to start with. Mayor Arnold said Comm. Morgan had done admirable work. Comm. Morgan said an applicant could apply from inland.

Mayor Arnold said having neighbor's approval seems like that would be holding neighbors hostage. Comm. Morgan said they had a long discussion on that and not to put that in the ordinance would be putting the Commission back into the arbitrator role, we have that situation right now and this is a way to affect that. Mayor Arnold said some criteria needs to be established somewhere to not have neighbor approval. Comm. Hamilton agrees that should be removed. Comm. Morgan said that is one main issue which is neighbor complaint. Mayor Arnold said this was just a discussion but in throwing things out to talk about why is there no fee. Comm. Morgan said that is something else that could be looked into.

Mayor Arnold said in the disrepair or abandoning of docks need to provide a way the city can restore to original condition or remove but the city not incur that expense, if it has to be removed how can the city be reimbursed. Mr. Dykes suggested adding language to attach an agreement to impose a lien if necessary to the encroachment agreement or any recorded document. Comm. Morgan said that could be included in the encroachment agreement or in the ordinance itself.

Mayor Arnold also asked who would be approving this dock, the Commission or Code Enforcer/Building Inspector. Mr. Dykes said in section 83-21 of the Code of Ordinance that speaks to procedure of docks. Comm. Morgan said he wants people to be happy.

Comm. Strong referenced the landscape buffer, Comm. Morgan said natural vegetation should be intact. Comm. Strong suggested that be better defined. Mayor Arnold added that the depth of the water needs to be specified. Comm. Morgan said he would like to take a video to reduce the number of docks for deminimis effect, to make sure spacing is efficient.

Mr. Obie O'Brien, 324 Glen Avenue, asked what the ground rules of the meeting were, Mayor Arnold said this is just a general discussion. Mr. O'Brien asked if that could include resident concerns. Mayor Arnold said no decision would be made tonight, just a general discussion. Mr. O'Brien would like to know the guidelines. Comm. Morgan said if someone had something to add to help the ordinance that would be great something he can address in the proposal of ordinance if it is just a general objection this is not the place or time. He added should he have anything specific Mr. O'Brien could feel free to call him or email him regarding any matters pertaining to this proposal. Mayor Arnold said any general objection would be better to be heard at the first reading of the ordinance.

Mayor Arnold said he appreciated all of Comm. Morgan's hard work and feels this discussion has helped to move thing along in constructing the ordinance.

Adjourn

**ADJOURN**

With no further business tonight before the Commission, the meeting adjourned at 6:54 PM.

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John B. Arnold, Jr.  
Mayor

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Heyward H. Strong, Jr.  
Chair, VCA

ATTEST:

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Tammy Johnson, CMC  
City Clerk

March 23, 2015

\*\*\*The DVD labeled March 23, 2015 contains the audio and video of this meeting and will be kept as a permanent part of these minutes.\*\*\*