

Consideration of Items for Consent Agenda

Mayor Sessions called the Consent Agenda to order at 6:30PM. Those present were Jay Burke, Monty Parks, John Branigin, Barry Brown, Nancy DeVetter and Spec Hosti. Also attending were Dr. Shawn Gillen, City Manager; Bubba Hughes, City Attorney; Tracy O'Connell, Assistant City Attorney; George Shaw, Director, Community Development; and Janet LeViner, Clerk of Council.

Mayor Sessions listed the following items on the consent agenda:

- Minutes, February 25, 2021, As amended
- Proposed for Electronic Warrants, Cloud Based Services, Cloud Gavel. \$500 Annually. Allows detectives to write arrest warrants and search warrants as well as video conferences with the judge
- Fourth Amendment, Verizon Lease, Water Tower
- Award of ITB 2021-759: Memorial Park Pavilion Renovation

Mayor Sessions called the regular meeting to order. All those present for the consent agenda were present.

Opening Ceremonies

- Call to Order
- Invocation: Rev. Kenneth Williams
- Pledge of Allegiance

Citizens to be Heard

Kenneth Thomas approached Mayor and Council to speak against the **5th Avenue unopened r-o-w** agenda item.

Pat Wallenborn, approached Mayor and Council to speak against the **5th Avenue unopened r-o-w** agenda item.

Linda Hilts, approached Mayor and Council to speak against the **5th Avenue unopened r-o-w** agenda item.

Laura Bryant, approached Mayor and Council to speak to the Commercial Film Production Request.

Cecilia Upchurch, approached Mayor and Council to speak against the **5th Avenue unopened r-o-w** agenda item.

John Harvey, approached Mayor and Council to speak against the **5th Avenue unopened r-o-w** agenda item.

Lee Cohen approached Mayor and Council to speak to his request for the **5th Avenue unopened r-o-w**

Davis Cohen, approached Mayor and Council to speak to his request for the **5th Avenue unopened r-o-w**

Anna Butler approached Mayor and Council to reconsider the proposed 200' rule. **Noise Ordinance**

Monty Parks made a motion to approve the consent agenda. **Barry Brown** seconded. Vote was unanimous to approve, 6-0.

Consideration of Local Requests & Applications – Funding, Special Events, Alcohol License

Commercial Film Production Request, Devotion. The requests in this second application include an expanded footprint with locations in parking areas at North

Beach and the 14th Street Parking Lots, a large number of parking spots requested than the first application, as well as for production activity to begin two weeks before the actual shoot date and end within the following week. George Shaw approached Mayor and Council. He stated this is an additional request for the movie Devotion. John Branigin stated his only question relates to the first day of filming, Wednesday, April 7th at 3rd Street where the prep-crew begins at 4:00AM and the Crew Call is at 5:00AM. He is concerned as there are residents in that area. **Laura Bryant**, Location Manager, film Devotion approached Mayor and Council. Ms. Bryant stated they have a pre-crew that will put as much as can in place the night prior to filming but some equipment must be placed the day of filming. She further stated they are in constant contact with the building owners, Home Owners Association, businesses and Bed and Breakfast's to make them aware of their schedule. Letters were sent to include her contact information so they can contact her with questions and concerns. Mr. Burke introduced himself, stated his family owns Burke Beach Rental, and stated he is not sure if he can vote on this agenda item. There was a general discussion regarding his family business and possible impact in which Ms. Bryant stated she will ensure all businesses are contacted to address impending impact. Mayor pro tem Brown stated if there are reimbursement issues for any of the businesses that might be effected by the filming, he is sure Ms. Bryant would work with them. Mr. Hughes stated he was not aware that this was going to be an issue and Mr. Burke should not participate or vote. **Barry Brown** made a motion to approve. **Monty Parks** seconded. Vote was unanimous to approve, 5-0 as Jay Burke recused himself. **Discussion:** Mr. Hosti asked Ms. Bryant to ensure residents and businesses are aware of the proposed scheduled for filming. Ms. Bryant stated they are working hard to do a hand deliver two letters: one will be done a week prior to start and the second two days prior to start to include information that is more definitive. She recommended including on the City's website. Mayor Session asked Dr. Gillen to ensure this is done.

Consideration of Bids, Contracts, Agreements and Expenditures

Purchase of Property: Davis Cohen, Unopened Portion of 5th Street. George Shaw approached Mayor and Council. He stated Staff is not recommending approval of this purchase. **Monty Parks** made a motion to deny. **John Branigin** seconded. Vote was unanimous to deny, 6-0.

Consideration of Ordinances, Resolution

First Reading, 2021-08, Sec 22-169(b), Building Waste - Accumulations Prohibited. Monty Parks stated Mr. Hughes has brought this forward at his request. He explained the change which would be if a resident gets a dumpster placed on their property for construction; you have 24 hours to place a cover on it. **Spec Hosti** made a motion to approve. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

Second Reading, 2021-04, Parking Ordinance. Mr. Hughes stated the only change that has occurred is the issue of parking recreational vehicles in what is considered the off-season. He continued, in checking with the Parking Department, they allow parking north of 14th Street between November 1st and March 1st of each year. This has been added to clarify the off-season issue. **Spec Hosti** made a motion to approve. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

2021-05, Noise Ordinance. Due to the Fireworks publication requirement, Second Reading will be March 25, 2021. No action taken.

Second Reading, 2021-06, Administrative Fines. Monty Parks asked if the matrix of fines will be posted on the website so it will be available to everyone, therefore public knowledge. Dr. Gillen confirmed. Mayor pro tem Brown asked Dr. Gillen how many people have requested appeals. Dr. Gillen responded approximately 15% and those are asking for warnings rather than

a fine. He stated it is infrequent he reduces violations to a warning. **John Branigin** made a motion to approve. **Monty Parks** seconded. Vote was unanimous to approve, 6-0.

Second Reading, 2021-07, Code Review, Chapter 2, Administration. **Monty Parks** made a motion to approve. **Nancy DeVetter** seconded. Vote was unanimous to approve, 6-0.

Monty Parks made a motion to adjourn to Executive Session to discuss Real Estate and Litigation. **John Branigin** seconded. Vote was unanimous to approve, 6-0.

Monty Parks made a motion to return to regular session. **Barry Brown** seconded. Vote was unanimous to approve, 6-0.

Barry Brown made a motion to adjourn. **John Branigin** seconded. Vote was unanimous to approve, 6-0.

Meeting adjourned at 8:00PM.

Janet R. LeViner, MMC
Clerk