



MINUTES
REGULAR CITY COUNCIL MEETING
OCTOBER 1, 2001 AT 7:00 P.M.
CITY HALL, 116 FIRST STREET
NEPTUNE BEACH, FLORIDA

Pursuant to proper notice a Regular Meeting of the City Council of the City of Neptune Beach was held October 1, 2001, at 7:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance

IN ATTENDANCE:

Mayor Richard A. Brown	Director of Public Services John Galen
Vice Mayor Robert D. Shimp	Director of Public Safety William Brandt
Councilor Ronald D. Patronik	Director of Finance Steve Ramsey
Councilor Harriet Pruette	Building Official Dan Arlington
City Attorney Christopher A. White	Assistant to the Building Official Piper Turner
City Manager Richard A. Linn	Assistant to the City Manager Terry Klein
City Clerk Lisa Volpe, CMC	Deputy City Clerk Karla Strait
	Accountant Gina Smith

Order Call/Pledge

Mayor Brown called the meeting to order and asked Councilor Pruette to lead the Pledge of Allegiance.

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS

Employee of the Year

EMPLOYEE OF THE YEAR AWARD: Mayor Brown presented the Employee of Year award to Gina Smith. Mrs. Smith thanked everyone for allowing her the opportunity to work for the city and stated that she would miss everyone when she left in December to start her family.

Appointment
Council Seat 2

APPOINTMENT TO FILL VACANCY OF COUNCIL SEAT NUMBER TWO – CHARTER PROVISION SEC. 2.06: Mayor Brown explained that eight candidates applied for the seat that was left vacant by the death of J.W. "Buddy" Crout on August 17, 2001. One candidate, former Councilman Scott Wiley, withdrew his candidacy because he felt that the other candidates were just as qualified and wanted to give them the opportunity. Mayor Brown explained that the remaining seven candidates would be asked to come forward and briefly introduce themselves to the Council and explain why they wished to become a member of the council. Following the introduction each candidate would be asked to answer a few questions from the Council. The council would then judge each candidate on a scale of one to five points and the one having the most points would be appointed.

City Clerk Lisa Volpe called the candidates in the following random order:

Robert L. Hicks, 1449 Hopkins Creek Lane, stated that he had been a resident and property owner of Neptune Beach for 30 years. He had a degree in engineering from the Naval Academy and a master's degree in Electrical Engineering from post graduated school and an MBA from the University of North Florida. He saw the vacancy and he wanted to give it a try.

Christian Eric Pardee, 1421 Penman Road, stated that he was very sorry about the loss of Councilman Buddy Crout. He had been a resident of the beaches for over 30 years. He currently worked for the City of Jacksonville as a Building Inspection Supervisor. Mr. Pardee felt he would be a good addition to the council because he could bring a fresh start; he communicated well and would like to serve his community.

James E. Gilbert, 2132 Acacia Road, Chairman of the Code Enforcement Board, had lived in Neptune Beach for 16 years. Mr. Gilbert stated that from being involved on the Code Enforcement Board he was aware of what good council could do and what bad could do. He felt that he could serve the city because he had a family here and wanted to see the community develop in the recreation area along with other things geared toward teenagers. He also liked the quality of life in Neptune Beach. He was not happy with the circumstances of how the seat became available but he wanted to do his part to see that city business went on as usual.

Thomas A. Tankersley, 1038 Kings Road, former Neptune Beach Vice Mayor and Councilman, stated he had a bachelor's degree from the University of Maryland. He was also the Field Office Manager for General Services Administration and managed public buildings here in northern Florida. In his current position he dealt with infrastructure and other issues that Council deals with. The reason he was offering to be appointed was to help fill the 13-month void quickly because he was updated on the major issues currently facing the council. Mr. Tankersley added that Buddy Crout was a good man and a good councilman and served the city well.

Joseph G. N. Allaire, 305 Sandcastle Way, stated he had been a resident of Florida since 1983 and a resident of Neptune Beach for 4 years. He was retired from the Air Force and also retired from the civil service at Mayport where he was a Safety Manager and Administrative Officer. Mr. Allaire expressed that he did not have any experience in city government, however he was a people person, and he was concerned about the city. Mr. Allaire stated if he was not chosen he would still do what ever he could for the city.

Anthony D. Mazzola, 529 Birch Court, Member of the Planning and Development Review Board, had lived here since 1987. Mr. Mazzola stated he was an Officer in the Navy and he had the opportunity to travel and live throughout the country and he thought that Neptune Beach enjoyed the highest quality of life. He wanted to serve on the council to help protect that quality of life. Mr. Mazzola reminded the council that he ran against Buddy Crout in the election last November and lost by only 135 votes and by doing so he showed his commitment to the city. Mr. Mazzola added that his fellow candidates did not campaign and did not attend council meetings on a regular basis as he did. Mr. Mazzola concluded that he was committed to the city and the job.

John W. Weldon, Jr., 108 Oak Street, Chairman of the Planning and Development Review Board, stated that he had been in the community since 1960. He was concerned about the quality of life and the management of the small communities. He served on the Tree Preservation Board in Atlantic Beach for three years before he moved to Neptune Beach and has served on the Planning and Development Review Board for almost five years as a member and was currently the Chairman. He believed that Neptune Beach was unique and special and needed to be cherished and managed in order to prevent a change in that. He felt that he had the experience, basic skills, education and other background that would suit him for a position on the council and he would appreciate the consideration.

Mayor Brown stated that he would like each candidate's opinion on the most serious challenges facing Neptune Beach and their thoughts on how to approach and handle them.

City Clerk Lisa Volpe called the candidates in the following random order:

Thomas A. Tankersley felt that infrastructure and land development were key issues. But the biggest decision facing the council was appointing someone to fill the vacant council seat and getting through the next thirteen months. He felt council should appoint someone who would be able work with the current council because there was no time for a learning curve.

John W. Weldon had been pushing the overhaul of the Land Development Code on the Planning and Development Board for over three years. He believed that Neptune Beach was in the center of a development hurricane that was occurring across the state. If we did not armor ourselves against the change that would come, we would lose the essence of the small community and that was the single most important issue facing the council.

Christian Eric Pardee thought that the main issue was the infrastructure because water was a necessity for everyone. Mr. Pardee stated that he would like to see a community center for family activities in Neptune Beach.

Joseph G. N. Allaire, agreed with the others and stated again that he did not have any government experience but he was here willing to help and learn.

Anthony Mazzola stated as a member of the Planning and Development Review Board, he felt it was important that the Land Use Code be effective and met the needs of the citizens.

James E. Gilbert, stated that serving on the Code Enforcement Board he felt the Land Use was a very important issue. It needed a lot of consideration and should be handled delicately and properly the first time, so there were no contradicting ideas or lack of understanding for those serving on the Boards. Mr. Gilbert further stated that you could have land use all you wanted but if the infrastructure did not hold it the land use would not matter, so in his opinion he felt the infrastructure was the main concern.

Robert L. Hicks felt that the land use codes needed to be headed toward helping maintain the residential character of the city and property rights should be protected when considering the code.

Mayor Brown stated that the last round involved the candidate's thoughts on the quality of life and areas that needed to be worked on.

City Clerk Lisa Volpe called the candidates in the following order:

Thomas A. Tankersley stated that to him the quality of life was the most important thing for the citizens of Neptune Beach. He moved here because it was affordable to middle class people and he wanted to keep it affordable. He felt this could be achieved by keeping city operating expenses down and not over taxing.

Christian Eric Pardee stated that most problems facing the board were neighbor against neighbor disputes. Mr. Pardee felt that bringing the neighbors together could

enhance the quality of life.

James E. Gilbert stated that we had a good quality of life in Neptune Beach and it came from an equal balance of business and residential neighborhoods. Mr. Gilbert felt keeping the residential neighborhoods residential would be a key issue for maintaining the quality of life. Mr. Gilbert added that activities for youth would also improve the quality of life.

John W. Weldon, Jr. stated the quality of life for him was the ability to walk back and forth to places where he could eat and drink, visit with the neighbors, ride bicycles on First Street, play with his child in Jarboe Park, and live in a place that was unusual and special and deserved to be cared for and nurtured. The City of Neptune Beach could be improved and his main concern for the quality of life was to maintain the beautiful gem that we already have.

Robert L. Hicks stated for him the quality of life was public safety, you could have wonderful beaches and parks, recreation and other things, but if people did not feel safe living here they would not use those things.

Joseph G. N. Allaire stated he lived in Neptune Beach because the quality of life was great. He added that he was the neighborhood watchman and when he called the police they came out immediately.

Anthony D. Mazzola felt that communicating with citizens and keeping the government efficient would enhance the quality of life. Efficient government meant lower taxes, a great police department, and great park facilities.

Mayor Brown stated this concluded the structured questions and that he was very impressed with the candidates. Mayor Brown asked the council members if they had any questions. Councilor Pruette wanted to ask all the candidates their vision for Neptune Beach. Councilor Patronik wanted their opinion on the millage rate and budgeting. Vice Mayor Shimp wanted to ask what was most important, the land use code or the infrastructure.

City Clerk Lisa Volpe called the candidates in the following random order:

Robert L. Hicks would like to see Neptune Beach become a safe city and prominently residential, with good quality schools and facilities. Mr. Hicks felt the city should spend what it needed to spend and not a penny more and it was up to the council to decide the needs. Mr. Hicks stated that the water and sewer was the most clear and present concern that was seen everyday and effected everyone and the land use mainly effected the east of Third Street.

Anthony D. Mazzola stated that his vision for Neptune Beach was to maintain the high quality of life that we enjoyed today. The infrastructure was just below the land use code in his priority. The water issues could be dealt with right now but the land use code would impact the city for years to come. The millage rate should not dictate the budget. The budget should first be developed and would dictate the millage rate.

Joseph G. N. Allaire, stated his vision for Neptune Beach was to see it stay like it was, a small town that everyone enjoyed living in. The water was the most important issue and should be worked on first. The first thing he would look at when it came to budgeting was the city employees' salaries to make sure they were being paid a fair rate in comparison to other cities.

James E. Gilbert stated his vision for the city was having residential and business neighborhoods coincide. Infrastructure was the important issue but it also coincided with land use because when you prepare the infrastructure you have to take in the

consideration of changes that might come from land use. The budget needed to be capable of handling the needs of the city and the city services should not be cut short in order to lower taxes.

Thomas A. Tankersley felt the vision was here and may need to be improved a little but it did not get much better. It should be kept affordable with a safe and healthy environment. He also felt that infrastructure was the top issue because no one should have to boil water. The infrastructure was important but we also needed a land development code that made sense. The budget should be put together by the City Manager and the Council should safeguard it by loosening and tightening the reins.

Christian Eric Pardee stated his vision for Neptune Beach was for the children to have a safe place to live and a safe park. He would like the city government to continue as it was with the separate boards and committees. In his opinion the infrastructure was the most important issue because people need and expect it. The city should have a concrete plan in order to generate income and balance the budget.

John W. Weldon, Jr. stated his vision for the community was to remain the residential low-rise community that it was. He wanted the community to respond to growth in a smart way so as not to lose those essential elements. Infrastructure was very high on his agenda as well as land use codes. The budget should be debated as a community and meet the obligations of the city. The millage rate should be determined by those factors.

That concluded the questioning. Mayor Brown stated that all the candidates were outstanding and it would be a tough decision. Mayor Brown acknowledged that Doris Crout and her daughter were in the audience as well as Art Graham, Councilman from Jacksonville Beach.

Recess/Reconvene

Mayor Brown called for a recess at 8:25 p.m. while City Clerk Lisa Volpe tallied up the points. The meeting reconvened at 8:35 p.m.

City Clerk Lisa Volpe announced that the winner was James Gilbert. At which time Mr. Gilbert respectfully resigned as Chairman of the Code Enforcement Board and accepted the appointment.

Moved by Shimp, seconded by Patronik.

Motion: **TO APPOINT JAMES GILBERT TO FILL SEAT 2 OF THE CITY COUNCIL TO BE EFFECTIVE OCTOBER 2, 2001.**

Roll Call Vote:

Ayes: 4 – Patronik, Pruette, Shimp, Brown

Noes: 0

MOTION CARRIED

City Clerk Lisa Volpe administered the Oath of Office to James Gilbert, whereupon he would respectfully assume the duties of his appointed office effective October 2, 2001.

Mayor Brown congratulated Councilor Gilbert.

Councilor Pruette suggested to Mr. Pardee that with his background he should consider applying for the vacancy that was now on the Code Enforcement Board.

Mayor Brown restated that all the candidates were qualified and dedicated and it was rewarding to see so many people cared about the community.

Agenda Change

City Attorney White requested amending the agenda to defer the development order for 120 ½ Lemon Street to the next council meeting. He needed a chance to review documents presented by the owner's legal counsel.

Motion: **TO AMEND THE AGENDA MOVING THE DEVELOPMENT ORDER FOR 120 ½ LEMON STREET TO THE NOVEMBER COUNCIL MEETING.**

Moved by Shimp, seconded by Pruette.

APPROVED BY CONSENSUS

APPROVAL OF MINUTES

Motion: **TO APPROVE THE FOLLOWING MINUTES AS STATED:**

SEPTEMBER 4, 2001, WORKSHOP MEETING
SEPTEMBER 4, 2001, REGULAR MEETING
SEPTEMBER 5, 2001, SPECIAL BUDGET MEETING
SEPTEMBER 17, 2001, SPECIAL BUDGET MEETING
SEPTEMBER 17, 2001, WORKSHOP MEETING

Moved by Patronik, seconded by Shimp.

Roll Call Vote:

Ayes: 4 – Patronik, Pruette, Shimp, Brown

Noes: 0

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Vice Mayor Shimp thanked the candidates that applied and encouraged them to run for the council again.

Councilor Patronik also thanked the candidates.

City Clerk Lisa Volpe announced that the council agendas would now be placed on the city web site on the Thursday before the meetings.

CITY MANAGER REPORTS

Waters Edge Drive

WATERS EDGE DRIVE – DRAINAGE PROBLEM: City Manager Linn explained that he spoke with Jack Gabrielle and Mark Hersh of J.T.A. and they were aware of the drainage problem. The engineers had designed a catch basin and a pipe for the end of Bartalone to carry the water to a collection system. Mr. Linn also had contacted J.E.A. and they were going to see if they could make any correction on the marsh side.

Water & Sewer
Phase 1, 2, & 3

WORKSHOP TO ADDRESS THE WATER & SEWER PROJECT: City Manager Linn requested setting a date for a workshop meeting to address the water & sewer project Phase 1, B & C, and the stormwater utility study. Mr. Linn recommended setting the meeting for Monday, October 8, 2001, at 7:00.

Consensus: **TO SCHEDULE A MEETING TO ADDRESS THE WATER & SEWER PROJECT, PHASE 1, B & C AND THE STORMWATER UTILITY STUDY FOR MONDAY, OCTOBER 8, 2001, AT 6:00 P.M.**

Water Main Break

WATER MAIN BREAK – AUTO DIALER: City Manager Linn briefed Council on the water main break that happened early Saturday morning. The main supply line from the water tank had broken at the corner of Penman Road and Florida Boulevard. The automatic dialer notified the residents of the problem. Water samples were sent out for testing and the results should be in by Tuesday afternoon. The advisory would then be lifted and the auto dialer would notify residents.

Certificate of Achievement

CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING: City Manager Linn announced that he received a letter from the Government Finance Officers Association notifying him that the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2000, qualified for a Certificate of Achievement for Excellence in Financial Reporting. Mr. Linn congratulated Director of Finance Steve Ramsey for continuing the achievement for the seventh year in a row.

COMMENTS FROM THE PUBLIC

Nicole Quickstad, 617 Oak Street, was concerned about the safety of the playground equipment and improvements in Jarboe Park. Council asked the City Manager to place this issue on his punch list.

David Linger, 1817 Hopkins Creek Lane, asked if the new street “Buddy Crout Lane” would change his address.

Steve Jarrett, developer for the area, responded that Hopkins Creek Lane would remain Hopkins Creek Lane and no existing homes would be affected.

Debbie McDonald, 2028 Shadow Lane, stated that the property owners on Shadow Lane had to install their own water and septic tanks and pave the road. She was concerned about the safety of the environment because of the septic tank and wanted to know when city services would be available. City Manager Linn explained there was a sewer plan for Shadow Lane in the Master Plan in Phase 2A, and was planned for five years down the road. The estimated cost was \$217,000.

CONSENT AGENDA

Ratification of Labor Agreements

RATIFICATION OF PUBLIC SAFETY DEPARTMENT LABOR COUNCIL – LABOR AGREEMENT:

RATIFICATION OF NORTHEAST FLORIDA PUBLIC EMPLOYEES’ LOCAL 630 – LABOR AGREEMENT:

Moved by Shimp, seconded by Patronik.

Motion: **TO APPROVE THE CONSENT AGENDA AS STATED.**

Roll Call Vote:

Ayes: 4 – Patronik, Pruette, Shimp, Brown

Noes: 0

MOTION CARRIED

VARIANCES/NONE

ORDINANCES/NONE

OLD BUSINESS/NONE**NEW BUSINESS**

Leeward Landing
North

APPROVAL OF THE FINAL PLAT – LEEWARD LANDING NORTH – SEC. 27-102(I): Building Official Dan Arlington stated that Steve Jarrett, the developer would like to update the council on the plat. Steve Jarrett explained that the Planning and Development Review Board forwarded this to council for approval but there was an issue about where Buddy Crout Lane would begin. Mr. Jarrett stated that the issue had been resolved today and the new plat would leave the current residents on Hopkins Creek Lane and begin Buddy Crout Lane starting with the nine new lots being developed. This item needed no action at the present time.

Development Order
410 Atlantic Blvd.

APPROVAL OF DEVELOPMENT ORDER – 410 ATLANTIC BOULEVARD – OPERATION OF AN URGENT CARE FACILITY: Karen Bowling, Celantic Company had plans to open an urgent care center at the old Miami Subs at 410 Atlantic Boulevard. They planned to open the facility in February for 365 days a year, 7 days a week, about 12 hours a day. Dirk Anderson, the architect, showed the plans to the council and explained they would be adding 1000 square feet to the south end of the property. City Manager Linn stated that the Planning and Development Review had recommended approval of the order.

Moved by Shimp, seconded by Pruette.

Motion: **TO APPROVE THE FINAL DEVELOPMENT ORDER FOR 410 ATLANTIC BOULEVARD – OPERATION OF AN URGENT CARE FACILITY.**

Roll Call Vote:

Ayes: 4 – Patronik, Pruette, Shimp, Brown

Noes: 0

MOTION CARRIED

Board Appointments

RESOLUTION NO. 2001-21, APPOINTING BOARD MEMBERS TO THE PLANNING AND DEVELOPMENT REVIEW BOARD: Resolution to appoint Tony Mazzola and Gerald Schrule as regular members of the Planning and Development Review Board and also appointing Larry Shealy and James Stahlman as alternate members.

Moved by Patronik, seconded by Pruette.

Motion: **TO APPROVE RESOLUTION 2001-21, APPOINTING BOARD MEMBERS TO THE PLANNING AND DEVELOPMENT REVIEW BOARD.**

Roll Call Vote:

Ayes: 4 – Patronik, Pruette, Shimp, Brown

Noes: 0

MOTION CARRIED

Mayor Brown thanked the new members for offering their services.

Adjournment

There being no further business, the meeting adjourned at 9:30 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____