



MINUTES
REGULAR CITY COUNCIL MEETING
FEBRUARY 1, 1999 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 February 1, 1999, at 7:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance

IN ATTENDANCE:

Mayor George F. Vaughn, Jr.	City Attorney Christopher A. White
Vice Mayor Thomas A. Tankersley	Director of Public Services John Galen
Councilor Edward S. Jones	Director of Finance John Herbst
Councilor Ronald D. Patronik	Building Official Dan Arlington
Councilor Robert D. Shimp	Deputy City Clerk Janelle Brunner
City Clerk Becky E. Hanks, CMC/AE	Administrative Assistant Lisa Volpe
City Manager Richard A. Linn	

Order Call/Pledge The Mayor called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

AWARDS AND PRESENTATIONS – NONE

APPROVAL OF MINUTES

Approval of Minutes Moved by Tankersley, seconded by Shimp.

Motion: **TO APPROVE THE FOLLOWING MEETINGS MINUTES, AS SUBMITTED: JANUARY 4, 1999 REGULAR, JANUARY 19, 1999 WORKSHOP AND JANUARY 25, 1999 TOWN HALL**

Roll Call Vote:

Ayes: 5 – Jones, Patronik, Shimp, Tankersley, Vaughn

Noes: 0

MOTION CARRIED.

COMMUNICATIONS AND CORRESPONDENCE - NONE

CITY MANAGER REPORTS

Florida Blvd. Culvert **FLORIDA BOULEVARD CULVERT:** The City Manager stated that he was waiting for a reply from Miles Francis, Jacksonville Transportation Authority, regarding the feasibility of Jacksonville installing a culvert along Florida Boulevard between Atlantic Boulevard and Hopkins Creek in conjunction with the Mayport Flyover Project. City Manager Linn further stated that Sam Mousa, Director of Public Works, City of Jacksonville, advised that his

department would not be involved unless there were provisions to do so in the Interlocal Agreement for Governmental Services. c

Dancing in the Street DANCING IN THE STREET 1999: The City Manager, Director of Public Services, and the Director of Public Safety recently met with the Merchant's Association to discuss planning details for Dancing In The Street 1999. Mr. Linn announced that he would bring forward for Council approval, at a later date, budget appropriations for requested security.

COMMENTS FROM THE PUBLIC

Robert West, 106 Hall Place, stated that the proposed commercial development at 200 First Street submitted by Ed Jones should meet all parking requirements.

Yves Bergeron of 2231 Marsh Point Road and Elizabeth Hughes of 2229 Marsh Point Road requested a buffer between the commercial and residential area near Kings Circle.

Danny Thiele, 107 Azalea Place, suggested adopting an ordinance regulating night-light on the beach for sea turtle protection.

Robert Hudson, 206 Hopkins Street, recommended extending the hours during the winter months that dogs would be able to walk on the beach.

CONSENT AGENDA

Ratification of Safety Labor Agmt. PUBLIC SAFETY LABOR COUNCIL AGREEMENT: Labor agreement between the City of Neptune Beach and the Neptune Beach Public Safety Department Labor Council commencing October 1, 1998 and ending September 30, 2001.

Moved by Tankersley, seconded by Patronik.

Motion: **APPROVE THE ABOVE NOTED LABOR AGREEMENT.**

Roll Call Vote:

Ayes: 5 – Jones, Patronik, Shimp, Tankersley, Vaughn

Noes: 0

MOTION CARRIED.

VARIANCES – NONE

ORDINANCES

Ord. No. 1998-34 Title Loan ORDINANCE NO. 1998-34, SECOND AND FINAL READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA ADDING A NEW ARTICLE IV TO CHAPTER 22 TRAFFIC AND MOTOR VEHICLES, REGULATING THE MOTOR VEHICLE TITLE LOAN INDUSTRY; AND PROVIDING AN EFFECTIVE DATE.

The Mayor read Ordinance 1998-34 by title only and opened the public hearing. There being no public comments, the Mayor closed the public hearing.

Motion: **TO ADOPT ORDINANCE NO. 1998-34 ON SECOND AND FINAL READ.**

Roll Call Vote:

Ayes: 5 – Jones, Patronik, Shimp, Tankersley, Vaughn

Noes: 0

MOTION CARRIED.

Ord. No. 1998-22
Nuisances

ORDINANCE NO. 1998-22, FIRST READ: AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF NEPTUNE BEACH, FLORIDA TO INCLUDE A NEW CHAPTER 28, ENTITLED "NUISANCES," AND PROVIDING AN EFFECTIVE DATE.

Moved by Shimp, seconded by Jones

Motion: **TO ADOPT ORDINANCE NO. 1998-22 ON FIRST READ.**

Roll Call Vote:

Ayes: 5 – Jones, Patronik, Shimp, Tankersley, Vaughn

Noes: 0

MOTION CARRIED. Forwarded to February 16, 1999 workshop for discussion.

OLD BUSINESS

Town Center
Streetscape Project

TOWN CENTER STREETSCAPE PROJECT CONCEPT PLAN "E": Council emphasized the importance of a taxi cab stand along Atlantic Boulevard.

Moved by Tankersley, seconded by Patronik

Motion: **APPROVE TOWN CENTER STREETSCAPE PROJECT CONCEPT "E."**

Roll Call Vote:

Ayes: 5 – Jones, Patronik, Shimp, Tankersley, Vaughn

Noes: 0

MOTION CARRIED.

Speed Bumps

SPEED BUMPS ON LORA, FIFTH, OLEANDER, AND DAVIS STREETS: Pursuant to the Speed Bump Policy, a public hearing was conducted on the following citizen requests:

1. Permanent speed bumps in the 200 block of Lora Street.
2. Permanent speed bumps on Fifth Street between Bay and Cedar Streets.
3. Temporary speed bumps on Oleander Street between Third and Fifth Streets.
4. Temporary speed bumps on Davis Street between Third and First Streets.

The following citizens who spoke in favor of speed bumps cited children safety, lack of police enforcement of speed limits, and resulting reduction of traffic in their neighborhoods:

- Verna Griffin, 229 Lora Street
- Gary Snyder, 521 Pine Street
- Dean Taylor, 517 Oak Street
- Bill Barker, 814 Fifth Street
- Bobby Stephens, 910 Fifth Street
- Bob Frosio, 804 Fifth Street

The following citizens who opposed speed bumps cited the noise level, shifting of traffic onto other streets by motorists trying to avoid them, slow response by emergency vehicles, makes streets unsightly, streets are too narrow, and cars bottom-out when traveling over them:

- Robert Hudson, 206 Hopkins Street
- James Hayes, 519 McCollum Circle
- Steve Pate, 565 Oleander Street
- Dina O'Neill, 318 Oleander Street
- Barbara Evans, 1514 First Street
- John Schehr, 540 Davis Street
- Murray & Tom Trotta, 124 Davis Street
- Bacot Wright, 1516 First Street
- Gayle Granger, 1510 First Street
- Mike Hillegass, 1707 Strand Street
- Harriet Pruette, 217 ½ Magnolia Street.
- Jill McGriff, Davis Street
- Claire Zaiser, 109 Davis Street
- John Herbst, 805 McCollum Circle

Numerous citizen made the following suggestions:

- Determine if more transitory renters are requesting the speed bumps than homeowners.
- A lot of the speeders are a teenager going to and from school.
- Lower speed limits.
- Install more stop signs.
- Place an opening in middle of speed bumps to allow bicycles, strollers, etc. to pass through.
- More police enforcement.

There being no further comments, the Mayor closed the public hearing.

Moved by Jones, seconded by Patronik

Lora St Motion: **TO DENY THE REQUEST OF INSTALLING PERMANENT SPEED BUMPS ON LORA STREET.**

Friendly Amendment: **TO ADD REMOVAL THE TEMPORARY SPEED BUMPS ALREADY IN PLACE ON LORA STREET.**

Roll Call Vote:

Ayes: 4 - Jones, Patronik, Tankersley, Vaughn

Noes: 1 - Shimp

MOTION CARRIED.

Moved by Jones, seconded by Patronik

Fifth St Motion: **TO INSTALL PERMANENT SPEED BUMPS ON FIFTH STREET.**

Roll Call Vote:

Ayes: 1 - Jones

Noes: 4 - Patronik, Shimp, Tankersley, Vaughn

MOTION FAILED.

Moved by Jones, seconded by Patronik

Oleander St Motion: **TO DENY THE REQUEST TO PLACE TEMPORARY SPEED BUMPS ON OLEANDER STREET.**

Roll Call Vote:

Ayes: 5 – Jones, Patronik, Shimp, Tankersley, Vaughn
Noes: 0

MOTION CARRIED.

Moved by Jones, seconded by Patronik

Davis St Motion: **TO DENY THE REQUEST TO PLACE TEMPORARY SPEED BUMPS ON DAVIS STREET.**

Roll Call Vote:

Ayes: 5 – Jones, Patronik, Shimp, Tankersley, Vaughn
Noes: 0

MOTION CARRIED.

Recess/Reconvene The meeting recessed at 9:21 p.m. and reconvened at 9:38 p.m.

Consensus: **SCHEDULE A WORKSHOP MEETING FOR 7:00 P.M. ON MARCH 8, 1999 FOR THE PURPOSE OF DISCUSSING TRAFFIC CALMING OPTIONS AND RECEIVING PUBLIC INPUT AT THE END OF THE MEETING.**

Consensus: **THE CITY MANAGER IS DIRECTED TO BE PREPARED TO GIVE DIRECTION AND MAKE RECOMMENDATIONS TO COUNCIL ON THE BEST WAY TO REDUCE SPEEDING WITH ALTERNATIVES OTHER THAN SPEED BUMPS.**

NEW BUSINESS

Mosquito Control **LETTER OF PERMISSION FOR MOSQUITO CONTROL SPRAYING:** Request of the City of Jacksonville, Department of Regulatory and Environmental Services, Property Safety Division, Mosquito Control Branch, to fly aircraft within City boundaries and over mosquito control locations when engaged in mosquito control spraying operations during May 1, 1999 through April 30, 2000.

Moved by Patronik, seconded by Tankersley

Motion: **APPROVAL TO THE CITY OF JACKSONVILLE FOR MOSQUITO SPRAYING OPERATIONS AS NOTED ABOVE.**

Roll Call Vote:

Ayes: 5 – Jones, Patronik, Shimp, Tankersley, Vaughn
Noes: 0

MOTION CARRIED.

Consensus: **THE CITY MANAGER IS DIRECTED TO CONTACT MOSQUITO CONTROL TO INQUIRE AS TO THE FEASIBILITY OF EXTRA SPRAYINGS, ANY ASSOCIATED COSTS, AND THE APPROPRIATE PROCEDURE FOR DOING SO, IF NECESSARY.**

Reso. No. 99-02 **RESOLUTION NO. 99-02: RESOLUTION AMENDING RESOLUTION 98-49 ORDER OF BUSINESS TO ADD AN AGENDA WORKSHOP ITEM ENTITLED "PUBLIC COMMENTS**

ON AGENDA ITEMS ONLY".

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA, THAT:

Section 1. The business of the Council shall be taken up for consideration and disposition in the following order:

A. *Regular Meetings.*

1. Call to Order
2. Pledge of Allegiance
3. Awards/Presentations/Recognition of Guests
4. Approval of Minutes
5. Communications and Correspondence
 - Mayor
 - Council
 - City Clerk
 - City Manager
6. City Manager Reports
7. Comments from the Public
8. Consent Agenda
9. Variances
10. Ordinances
11. Old Business
12. New Business
13. Adjourn

B. *Regular Workshop Meetings*

1. Call to Order
2. Committee Reports
3. City Manager Punch List
4. Proposed Ordinances
5. Contracts / Agreements
6. Issue Development
7. ~~Adjourn~~ Public Comments on Agenda Items Only
8. Adjourn

Moved by Tankersley, seconded by Shimp.

Motion: **TO APPROVE RESOLUTION NO. 99-02, AS NOTED ABOVE.**

Roll Call Vote:

Ayes: 5 – Jones, Patronik, Shimp, Tankersley, Vaughn

Noes: 0

MOTION CARRIED.

Reso. No. 99-03

RESOLUTION NO. 99-03: A RESOLUTION AMENDING RESOLUTION NO. 98-19 TO SET MONTHLY TOWN HALL MEETINGS IMMEDIATELY FOLLOWING THE REGULAR WORKSHOP MEETINGS AND CALLING FOR ADDITIONAL TOWN HALL MEETINGS, AS DEEMED NECESSARY BY COUNCIL.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA:

SECTION 1. That a new policy is hereby established wherein the City Council shall conduct an informal Town Hall Meeting on a monthly basis, immediately following each regular workshop meeting, to receive input from the citizens.

SECTION 2. That additional Town Hall Meetings shall be scheduled for the fourth Monday of the month, as deemed necessary by the City Council.

Moved by Tankersley, seconded by Patronik.

Motion: **TO APPROVE RESOLUTION 99-03, AS NOTED ABOVE.**

Roll Call Vote:

Ayes: 4 – Jones, Patronik, Shimp, Tankersley

Noes: 1 - Vaughn

MOTION CARRIED.

Reso. No. 99-04

RESOLUTION NO. 99-04: RESOLUTION REAPPOINTING BOARD MEMBERS TO THE BOARD OF APPEALS, CIVIL SERVICE BOARD AND CODE ENFORCEMENT BOARD.

RESOLVED, the City Council of the City of Neptune Beach, Florida, hereby confirms the following board re-appointments:

BOARD OF APPEALS

<u>Member</u>	<u>Type</u>	<u>Term</u>	<u>Begins</u>	<u>Ends</u>
Jay Ambler	Reappoint Alternate	1 year	2/2/99	2/1/2000
Robert Hudson	Reappoint Alternate	1 year	2/2/99	2/1/2000
Jim Stinekraus	Reappoint Alternate	1 year	2/23/99	2/22/2000

CODE ENFORCEMENT BOARD

<u>Member</u>	<u>Type</u>	<u>Term</u>	<u>Begins</u>	<u>Ends</u>
Joseph Waddill	Reappoint Alternate	1 year	2/2/99	2/1/2000
William Weldon	Reappoint Alternate	1 year	2/2/99	2/1/2000

CIVIL SERVICE BOARD

<u>Member</u>	<u>Type</u>	<u>Term</u>	<u>Begins</u>	<u>Ends</u>
Robert Clarke	Reappoint Alternate	1 year	2/2/99	2/1/2000

Moved by Patronik, seconded by Tankersley.

Motion: **TO APPROVE RESOLUTION NO. 99-04, AS NOTED ABOVE.**

Roll Call Vote:

Ayes: 5 – Jones, Patronik, Shimp, Tankersley, Vaughn

Noes: 0

MOTION CARRIED.

Pre. Develop. Order

PRELIMINARY DEVELOPMENT ORDER AT 200 FIRST STREET: Application for

200 First Street

Preliminary Development Order for the commercial renovation and new construction at 200 First Street (old Ed Smith Lumber building) applicant Edward S. Jones.

The Mayor acknowledged receipt of a letter dated February 1, 1999 from Michael Dunlap, architect and representative for Edward S. Jones, withdrawing the proposed development plans.

The Mayor read Mr. Dunlap's letter, addressed to the City Manager, into the record as follows:

"Dear Dick,

Please accept this letter as a request for withdrawal of the plans which I submitted to you for development review under cover letter dated January 13, 1999.

As you know, the Planning and Development Review Board did not approve the proposed development as submitted. The Owner of the property intends to submit revised plans of the development indicating on-site parking in the second phase of construction. Thank you for your assistance, and please call me if you have any questions.

Sincerely,
Michael Dunlap"

Adjournment

There being no further business, the meeting adjourned at 10:05 p.m.

George F. Vaughn, Jr., Mayor

ATTEST:

Becky E. Hanks, CMC/AAE, City Clerk

Approved: _____