



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**FEBRUARY 16, 1999 AT 7:00 P.M.**  
**CITY HALL, 116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA**

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Pursuant to proper notice a Workshop Meeting of the City Council of the City of Neptune Beach was held February 16, 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.  
Vice Mayor Thomas A. Tankersley  
Councilor Edward S. Jones  
Councilor Ronald D. Patronik  
Councilor Robert D. Shimp  
City Clerk Becky E. Hanks, CMC/AEE

City Manager Richard A. Linn  
City Attorney Christopher A. White  
Building Official Dan Arlington  
Director of Public Services John Galen  
Administrative Assistant Lisa Volpe  
Sergeant-at-Arms Larry W. Dean

Call to Order/Roll Call

The Mayor called the meeting to order at 7:00 p.m.

**COMMITTEE REPORTS**

Ish Brant Beautification  
And Special Events  
Committees

ISH BRANT BEAUTIFICATION COMMITTEE REPORT: Member Joanne Waddill gave a report on recent activities of the Ish Brant Beautification Committee, including a recruitment drive for volunteers to work with both Committees.

COMMUNITY EVENTS SPECIAL COMMITTEE: Chairperson Tyler gave a slide show presentation of the accomplishments to date of the Ish Brant Beautification and Community Events Special Committees. She outlined the success of the recent events, King Neptune Festival, 5-K Run, Christmas in the Park and Christmas Parade.

Committees

COMMITTEES: In response to an inquiry as to whether or not there would be another Sunday in the Park Event, the following ensued.

Chairperson Tyler pointed out that the request of resident Elaine Kenny to the Committee to plan and coordinate, with her own committee of volunteers, a Sunday in the Park Event without oversight by the Community Events Special Committee was rejected by unanimous consent of the Committee.

Chairperson Tyler pointed out that Ms. Kenny, as a former committee member, had a very poor attendance record, resigned, un-resigned and resigned. Ms. Kenny did not follow through on accepted assignments in conducting events, therefore, slowing and hindering the forward movement of events. This history demonstrated a lack of follow-through and commitment. As a result, it would not be reasonable to turn over an event to Ms. Kenny with this kind of track record with the Committee. Dr. Tyler further stated

that Ms. Kenny was invited to volunteer and participate with the Committee as a volunteer to any event, including a Sunday in the Park. However, to date, the response from Ms. Kenny was that she would think about it.

Consensus: **GIVE THE PRIVILEGE OF THE FLOOR TO ELAINE KENNY TO GIVE A PRESENTATION ON PLANNING AND COORDINATING A SUNDAY IN THE PARK, WITHOUT THE COMMUNITY EVENTS SPECIAL COMMITTEE.**

Elaine Kenny cited the success of last year's Sunday in the Park Event that she planned and coordinated with approximately twenty-five volunteers underneath her. She stated that she could not be a part of the Community Special Events Committee because of a personality conflict and that she did not think she could work with the Committee. She further stated that she wanted to run for Council and needed to put on cost efficient events and that was her purpose in doing Sunday in the Park. Ms. Kenny informed Council that she had set the date for the Sunday in the Park for April 11, 1999 and presented Council with an itemized list of all activities and a request for \$500 from Media One to fund the event.

A lengthy discussion by Council ensued.

Consensus: **THE CITY COUNCIL WAS IN CONTROL OF WHETHER OR NOT ANY EVENTS TAKE PLACE IN THE CITY.**

Consensus: **ANY CITIZEN CAN COME FORWARD TO THE CITY MANAGER WITH A REQUEST TO PLAN AND COORDINATE AN EVENT, OUTSIDE OF THE COMMUNITY EVENTS SPECIAL COMMITTEE AND THE CITY MANAGER WILL BE RESPONSIBLE FOR MAKING THE DECISION OF WHETHER OR NOT TO BRING THE ISSUE TO COUNCIL TO CONSIDER FOR APPROVAL.**

Consensus: **FORWARD TO THE MARCH 1, 1999 REGULAR AGENDA, APPROVAL OF THE SUNDAY IN THE PARK EVENT, APPROVAL FOR PLANNING AND COORDINATION TO BE DONE BY RESIDENT ELAINE KENNY, WITHOUT OVERSIGHT BY THE COMMUNITY EVENTS SPECIAL COMMITTEE, AND AUTHORIZATION TO UTILIZE \$500 FROM THE MEDIA ONE FUNDS.**

Consensus: **ALL COMMITTEES SHOULD BE UNDER THE CITY MANAGER, WHO WILL BE RESPONSIBLE FOR WORKING OUT ALL DETAILS FOR COMMITTEES, INCLUDING ITEMIZED BUDGET EXPENDITURES FOR EACH EVENT AND BRING ALL ISSUES AND BUDGET TO COUNCIL FOR APPROVAL PRIOR TO EACH EVENT TAKING PLACE.**

Consensus: **FORWARD TO THE MARCH 1, 1999 REGULAR AGENDA, AMENDING RESOLUTION ESTABLISHING WORKSHOP AGENDA FORMAT TO CHANGE "COMMITTEE REPORTS" TO READ "COMMITTEE REPORTS BY CITY MANAGER".**

**CITY MANAGER PUNCH LIST**

City Manager Punch  
List

CITY MANAGER PUNCH LIST: The following items were discussed:

- *Street Paving* - Completed.
- *Roadway between K-Mart and Scotty's Shopping Centers* - A survey revealed that the U-Haul Company owns the property connecting the two shopping centers. The U-Haul Company already has plans to construct a building on this piece of property. The City does have a ten-foot easement between the rear of the U-Haul parking lot and the fence at Scotty's which is too narrow for a roadway. Regarding the Council's question of taking said property by eminent domain, City Attorney White stated that an Attorney General Opinion revealed that eminent domain was possible if the parking areas were open to the public and it served a public purpose.
- *Jarboe Park, Removal of Geo Fabric* - The Parks Department project of replacing the geo fabric with sand continued to progress. However, some geo fabric would remain for weed control.
- *Drainage flooding, 1423 Forest Avenue* - Storm water crew will begin work next month on the ditch along Forest Avenue. A swale was needed behind all homes along Forest Avenue; in addition, lack of a City easement hindered the progress of correcting some of the problem.
- *Grant* - The City has been notified that a \$20,000 grant was approved for Neptune Beach to correct drainage problems.
- *Bike Path on Penman Road* - No report.
- *Traffic Counter* - A second traffic counter was purchased that will be placed on a street this week. The goal is to survey all streets east of Third Street. Once this is completed, a comparison will be made between streets with speed bumps, those without and a record of the overall traffic pattern. Individual street reports will be submitted to Council as they are completed.
- *New Lifeguard Station* - The old slab foundation was damaged beyond repair because it turned out to be hollow. Therefore, a request for a change order to the original contract to authorize the cost of pouring a new slab will be on the next agenda.
- *Drainage Problem, end of Atlantic Boulevard* - Due to small drainage lines, there will be flooding in this area. At this time, no solution has been determined.

## Recess / Reconvene

The Mayor, with consensus of Council, recessed the meeting at 9:21 p.m. and reconvened at 9:33 p.m.

**PROPOSED ORDINANCES**

Ord. No. 1998-22  
Nuisances

DISCUSSION - ORDINANCE NO. 1998-22: 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.

A brief discussion ensued.

Consensus: **THE CITY ATTORNEY WILL MERGE AND REDLINE THE MAYOR'S AND CODE ENFORCEMENT BOARD'S WRITTEN SUGGESTIONS INTO THE PROPOSED ORDINANCE FOR REVIEW AT THE MARCH 15, 1999 WORKSHOP MEETING; THE CODE ENFORCEMENT BOARD WILL BE INVITED TO ATTEND AND PROVIDE INPUT AT THE MARCH WORKSHOP MEETING; AND SECOND / FINAL READING WILL TAKE PLACE AT THE APRIL 5, 1999 REGULAR MEETING.**

## City Attorney Excused

At this time, the City Attorney was excused to leave.

**CONTRACTS / AGREEMENTS – NONE**

Contract Gruhn May, Inc. CONTRACT GRUHN MAY, INC. - SEWER LINES: The City Manager advised that no bids were received as a result of an advertisement for bids on sewer line repairs on Bay Street. The City Manager recommended Council approve a contract with Gruhn May, Inc., in the amount of \$22,500 for said repairs and appropriate funds from the Water Sewer System Reserve Fund (404-4381-581-90-99).

Consensus: **FORWARD TO THE MARCH 1, 1999 REGULAR CONSENT AGENDA, APPROVAL OF CONTRACT TO GRUHN MAY, INC., IN AN AMOUNT NOT TO EXCEED \$22,500 FOR SEWER LINE REPAIRS ON BAY STREET.**

**ISSUE DEVELOPMENT**

JEA Water Supply JEA WATER SUPPLY: The Mayor gave a report and recommended, with the support of the City Manager, that Council agree to future planning of an interconnection to the JEA water supply to be utilized during emergencies.

Consensus: **FORWARD TO THE MARCH 1, 1999 REGULAR CONSENT AGENDA, APPROVAL OF SUPPORT AND INTEREST IN A FUTURE CONNECTION TO JEA WATER SUPPLY FOR UTILIZATION DURING AN EMERGENCY ONLY.**

Water Usage WATER USAGE CAP - COMMON AREAS: Following research, the City Manager made a recommendation accepted by consensus of Council.

Consensus: **FORWARD TO MARCH 1, 1999 REGULAR CONSENT AGENDA, APPROVAL TO ESTABLISH ALLOTMENT OF FREE WATER USAGE IN AN AMOUNT NOT TO EXCEED 20,000 GALLONS, PER 1,000 SQUARE FEET, PER MONTH FOR LAWN AND LANDSCAPING MAINTENANCE OF CITY PROPERTY BY VOLUNTEERS, FUNDED FROM THE GENERAL FUND TO THE UTILITY FUND.**

Pawn Shops STATE LEGISLATION ON PAWN SHOPS: The Mayor stated that a request was received from a Palm Beach County Commissioner asking for support of critical issues regarding Florida Statute 539, regulating pawn brokers as outlined in a letter dated January 19, 1999 from Commissioner Warren H. Newell.

Consensus: **FORWARD TO THE MARCH 1, 1999 REGULAR CONSENT AGENDA, A RESOLUTION IN SUPPORT OF THE STATE LEGISLATURE ENACTING NEW LAWS REGULATING PAWNBROKERS, AS OUTLINED IN MR. NEWELL'S LETTER DATED JANUARY 19, 1999.**

Hurricane Preparedness HURRICANE PREPAREDNESS EDUCATION: The Mayor stated that the City Manager, Director of Finance and Public Safety Director would be attending the National Hurricane Conference from March 29<sup>th</sup> to April 2<sup>nd</sup>. The City Manager gave a brief description of the current City Hurricane Policy. The Mayor asked that a report be made back to Council by the City Manager following attendance at the conference. The Mayor stated his preference that the City Manager schedule a workshop to review the current City Hurricane Plan with the Council.

Media One Funds EXPENDITURE OF MEDIA ONE FUNDS: The City Manager, as recommended by the

Director of Finance, stated that pursuant to the current franchise agreement with Media One, funds must be approved by Council for City events.

Consensus: **FORWARD TO THE MARCH 1, 1999 REGULAR AGENDA, AUTHORIZATION TO UTILIZE MEDIA ONE FUNDS FOR CITY EVENTS WITH THE PROPOSED BUDGET BEING PRESENTED TO COUNCIL PRIOR TO EACH EVENT; AND APPROVAL OF 1999 EVENTS LIST, INCLUDING A JOINT TOWN CENTER CHRISTMAS AND SUNDAY IN THE PARK.**

Ditch Cleaning

**BAY STREET DITCH SYSTEM AND LAKE NEPTUNE CLEANING:** The City Manager asked Council to consider authorizing the cleaning of the ditch that begins on the west side of the Village Inn Restaurant, runs parallel along Third Street and terminates at the culvert under Bay Street. There exists an emergency due to the weed growing spring season that is fast approaching.

Consensus: **FORWARD TO THE MARCH 1, 1999 REGULAR CONSENT AGENDA, DECLARING AN EMERGENCY AND WAIVING FORMAL BID PROCEDURE TO AWARD A CONTRACT TO VORTEX BIOLOGICAL SERVICES, INC., TO CLEAN THE BAY STREET DITCH SYSTEM AND LAKE NEPTUNE.**

Beach Preservation

**BEACH PRESERVATION TECHNOLOGY CONFERENCE REPORT:** The Mayor and City Manager gave brief reports on a conference that they both, recently, attended.

Public Comments

**PUBLIC COMMENTS ON AGENDA ITEMS ONLY:** There were no comments from the public.

Adjournment

There being no further business, the meeting adjourned at 11:20 p.m.

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George F. Vaughn, Jr., Mayor

ATTEST:

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Becky E. Hanks, CMC/AEE, City Clerk

Approved: \_\_\_\_\_