



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**APRIL 5, 1999 AT 7:00 P.M.**  
**CITY HALL, 116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA**

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Pursuant to proper notice a Regular Meeting of the City Council of the City of Neptune Beach was held April 5, 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 Manager Richard A. Linn
Vice Mayor Thomas A. Tankersley	City Attorney Christopher A. White
Councilor Edward S. Jones	Director of Finance John Herbst
Councilor Robert D. Shimp	Assistant to Building Official Piper Turner
Councilor Ronald D. Patronik	Administrative Assistant Lisa Volpe
City Clerk Becky E. Hanks, CMC/AE	Deputy City Clerk Karla Strait

Order Call/Pledge

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

**AWARDS / PRESENTATIONS AND RECOGNITION OF GUEST**

Recognition of Guest

The Mayor introduced Karen Schefer with the City of Jacksonville, Director of Parks and Recreation.

**APPROVAL OF MINUTES**

Approval of Minutes

Moved by Tankersley, seconded by Jones.

Motion: **TO APPROVE THE FOLLOWING MEETING MINUTES:**

**FEBRUARY 16, 1999 WORKSHOP**  
**FEBRUARY 22, 1999 TOWN HALL**  
**MARCH 1, 1999 REGULAR**  
**MARCH 15, 1999 SPECIAL**  
**MARCH 15, 1999 WORKSHOP**  
**MARCH 15, 1999 TOWN HALL**

Roll Call Vote:

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

**MOTION CARRIED.**

**COMMUNICATIONS AND CORRESPONDENCE**

- Project Oversight**      Project Oversight: Mayor Vaughn referred to a letter in the agenda packet, attached to the Project oversight Committee Meeting Minutes and stated that the most recent design was on the table in back of the Council Chambers for anyone wishing to review it.
- Taxi Stand**              Taxi Cab Stands: Vice Mayor Tankersley stated that he spoke with our City Manager and Atlantic Beach Mayor Shaunesty about the idea of four taxi stands to be located in Town Center to help promote public transportation and give people an alternate route. This would also allow for extra parking.
- School Fight Resolution**      School Fight Resolution: Councilor Shimp reported that a resolution had been reached with Fletcher High School Principal Mrs. Mann over a fight at school. The Chief of Police, under a grant, is sending a teacher from Fletcher High School and one of our Resource Officers to an Intervention class. Councilor Shimp also reported that he believed the mother was satisfied.
- Lighting**                Light Bulb Wattage: Councilor Jones stated that he was concerned the high wattage light bulbs to be installed in Town Center would be too bright for the area.
- St Johns River Management District**      City Manager Report on Water 20/20: The City Manager stated that he received a letter from Craig McClane, Program Manager with St. Johns River Water Management District, requesting time on the agenda for June 7, 1999 to give a report on Water 20/20.

**CITY MANAGER REPORTS**

- Investigation**              City Manager Report on Dog Incident: The City Manager stated that the investigation of the dog incident at 509 McCollum Circle was almost complete. A full report will be forthcoming.
- SOP 52 Procedures**      SOP 52 Procedures: The City Manager will have something out this week on the procedures for issuing a Police Complaint Form SOP 52, to citizens.

**COMMENTS FROM THE PUBLIC**

Bishop Hayes, 207 Spindrift lane, complained about the deplorable conditions that existed in the alley behind Mr. Grubbs strip mall and the view of the Mayport overpass heading east.

Danny Thiele, 107 Azalea Place, spoke in support of Ordinance No. 1999-01. He invited Blair Withington with the Department of Environmental Protection to attend the Workshop Meeting on April 19, 1999, to answer any questions.

Donald Jordan, 1423 Forest Avenue, complained that the drainage project on Forest Avenue has not been started. Mr. Jordan recommended that the Ordinance controlling political signs be enforced or repealed.

Jo Anne Waddill, 115 Oleander, requested the removal of politics from the Ish Brant Beautification Committee.

**NEW BUSINESS**

- Agenda Modification**      Council agreed to move Agenda Item 12(A) forward for the appearance of Karen Schefer with The Department of Parks, Recreation and Entertainment, City of Jacksonville.

- FIND Grant**                FLORIDA INLAND NAVIGATION DISTRICT GRANT (FIND): Karen Schefer with

Department of Parks, Recreation and Entertainment, City of Jacksonville, explained the application process of Phase I. Design, Engineering and Permitting of a Canoe Launch at the old bridge site on Seagate Avenue. The City of Jacksonville will provide the grant writing and administration, as well as the 50% percent match for Phase I of the project.

Discussion ensued on the feasibility of switching the location from Seagate to Forest Avenue.

Council directed the City Manager to investigate whether the City could obtain the necessary easements on Forest Avenue.

Moved by Tankersley, seconded by Jones.

Motion: **TO SUPPORT THE CITY OF JACKSONVILLE MOVING FORWARD WITH THE FIND GRANT APPLICATION.**

On The Record Councilor Shimp stated, on the record, that he would (1) not support the Seagate Avenue location due to low tide and (2) would request the FIND Grant application be withdrawn if the Forest Avenue location could not be utilized.

On The Record Mayor Vaughn stated, on the record, that the above motion would stand as the official act of this Council supporting the forward movement of the FIND Grant application. He also stated, on the record, that he did not agree with Councilor Shimp.

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Consensus: **TO PLACE THE FIND GRANT APPLICATION ON THE AGENDA FOR THE TOWN HALL MEETING ON APRIL 19, 1999 TO RECEIVE PUBLIC INPUT.**

**CONSENT AGENDA**

Resolution Water Usage **RESOLUTION NO. 99-11: RESOLUTION FOR WATER USAGE FOR MAINTAINING PUBLIC AREAS OF THE CITY OF NEPTUNE BEACH, FLORIDA.**

WHEREAS, City Council approved Resolution 99-08 on March 1, 1999 which resolution contained a calculation error which needs to be corrected

NOW THEREFORE BE IT RESOLVED THAT:

Section 2 of the resolution should read as follows: The City will credit to the individual an amount equal to 20,000 gallons per each 10,000 sq. ft. per month and;

Moved by Tankersley, seconded by Shimp.

Motion: **TO ADOPT RESOLUTION NO. 99-11, AS NOTED ABOVE.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED.

**VARIANCES-NONE**

**ORDINANCES**

Ordinance No.  
1999-01

ORDINANCE NO. 1999-01, FIRST READ: AN ORDINANCE OF NEPTUNE BEACH, FLORIDA, RELATING TO THE PROTECTION OF MARINE TURTLES; PROVIDING FINDINGS; PROVIDING TITLE AND CITATION, PURPOSE; PROVIDING JURISDICTION; PROVIDING DEFINITIONS; PROVIDING LIGHTING STANDARDS FOR NEW DEVELOPMENT; PROVIDING LIGHTING STANDARDS FOR EXISTING DEVELOPMENT; PROVIDING STANDARDS FOR PUBLICLY OWNED LIGHTING; PROVIDING PROHIBITED ACTIVITIES DISRUPTIVE TO MARINE TURTLES; PROVIDING STANDARDS FOR CONSTRUCTION DURING THE MARINE TURTLE NESTING SEASON; PROVIDING THAT IT IS UNLAWFUL TO KILL MOLEST OR INJURE MARINE TURTLES; PROVIDING EDUCATION AND INFORMATION OPTIONS; PROVIDING ENFORCEMENT PROVISIONS INCLUDING CIVIL AND ADMINISTRATIVE ENFORCEMENT POWERS AND CRIMINAL PENALTIES REGARDING MARINE TURTLES AND HATCHLINGS IN NEPTUNE BEACH, FLORIDA PROVIDING INTERPRETATION; PROVIDING SERVERABILITY AND PROVIDING AN EFFECTIVE DATE.

The Mayor read Ordinance No. 1999-01 by title only.

Moved by Patronik, seconded by Jones.

Following discussion, the motion and second were withdrawn.

Consensus: **TO MOVE ORDINANCE NO. 1999-01 TO THE APRIL 19, 1999 WORKSHOP MEETING FOR FURTHER DISCUSSION AND INFORMATION FROM THE APPROPRIATE AGENCIES.**

Ordinance No.  
1999-02

ORDINANCE NO. 1999-02, FIRST READ: THAT SECTION 22-26 OF THE CODE OF ORDINANCES OF THE CITY OF NEPTUNE BEACH IS HEREBY AMENDED BY ADDING A NEW SUBSECTION (F) TO READ AS FOLLOWS; AND TO RENUMBER SECTION 22-26 (F) TO READ SECTION 22-26 (G); AND PROVIDING AN EFFECTIVE DATE.

The Mayor read Ordinance No. 1999-02 by title only.

For information: Ordinance No. 1999-02 Prohibits parking motor vehicles on private property in residential districts without the permission of property owner.

Moved by Jones, seconded by Patronik.

Motion: **TO PASS ORDINANCE NO. 1999-02 ON FIRST READ**

Roll Call Vote:

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

MOTION CARRIED

Ordinance No.  
1999-03

ORDINANCE NO. 1999-03, FIRST READ: THAT SECTION 2-42 OF THE CODE OF ORDINANCES OF THE CITY OF NEPTUNE BEACH IS HEREBY AMENDED TO READ AS FOLLOWS: AND PROVIDING AN EFFECTIVE DATE.

The Mayor read Ordinance No. 1999-03 by title only.

For information: Special committees to be appointed by Council and are subject to abolishment.

Moved by Jones, seconded by Patronik.

Motion: TO ADOPT ORDINANCE NO. 1999-03 ON FIRST READ

Friendly Amendment: TO ADD AT THE END OF THE SECOND SENTENCE, “ THAT EACH COUNCILOR SHALL APPOINT ONE CITIZEN TO THE COMMITTEE, UNLESS OTHERWISE DIRECTED BY COUNCIL.”

Friendly Amendment: LAST SENTENCE, REPLACE THE WORD “ SHOULD “ WITH “SHALL”

Roll Call Vote:  
Ayes: 4 – Jones, Patronik, Shimp, Tankersley  
Noes: 1 – Vaughn

MOTION CARRIED.

OLD BUSINESS – NONE

NEW BUSINESS

Professional Service Agreement

PROFESSIONAL SERVICES – MASTER UTILITY PLAN: Request for approval of Professional Services Agreement with Post, Buckley, Schuh & Jernigan for Utility Improvement Project associated with Master Utility Plan.

Moved by Tankersley, seconded by Patronik.

Motion: TO APPROVE PROFESSIONAL SERVICES AGREEMENT WITH POST, BUCKLEY, SCHUH & JERNIGAN FOR UTILITY IMPROVEMENT PROJECT ASSOCIATED WITH MASTER UTILITY PLAN.

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

MOTION CARRIED

Addendum No. 1,  
Task No. 1

Approval of Addendum No. 1, Task No. 1, to Professional Services Agreement with Post, Buckley, Schuh & Jernigan for General Utility Improvement Program Consulting Services associated with Master Utility Plan, in an amount not to exceed \$5,000.

Addendum No. 2,  
Task No. 2

Approval of Addendum No. 2, Task No. 2, to Professional Services Agreement with Post, Buckley, Schuh & Jernigan for Design Standards and Construction Contractor Qualifications associated with Master utility Plan, in an amount not to exceed \$20,100.  
Conditions: Two items to be included in the scope of work, as follows: (1) A statement that the installation of new sewer pumping stations anywhere within the city, shall be at no less than a minimum of fifty feet ( 50' ) from any residential structure, and (2) currently existing sewage pumping stations, in all parts of our city, shall be individually evaluated for safety, noise, odors and proximity to existing homes.

Moved by Jones, seconded by Patronik

Motion: **TO APPROVE ADDENDUM NO. 1, TASK NO. 1; AND ADDENDUM NO. 2, TASK NO. 2, WITH CONDITIONS AS NOTED ABOVE.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED.

Pre. Develop. Order  
217 First Street

PRELIMINARY DEVELOPMENT ORDER – 217 FIRST STREET: Approval of Preliminary Development Order for an expansion and renovation at 217 First Street, owner Cobalt Moon.

Moved by Tankersley, seconded by Jones.

Motion: **TO ACCEPT THE RECOMMENDATION OF THE PLANNING AND DEVELOPMENT REVIEW BOARD AS OUTLINED IN THE BOARD MINUTES OF MARCH 16, 1999 AND APPROVE A PRELIMINARY DEVELOPMENT ORDER FOR AN EXPANSION AND RENOVATION AT 217 FIRST STREET.**

Friendly  
Amendment

**THE FOUR ANGLED PARKING SPACES SHALL BE USED FOR EMPLOYEES ONLY, AND CHAINED OFF DURING NON BUSINESS HOURS. THE TWO PARALLEL SPACES SHALL BE REMOVED.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Pre. Develop. Order  
200 First Street

PRELIMINARY DEVELOPMENT ORDER – 200 FIRST STREET: Approval of Preliminary Development Order for Phase II, renovation at 200 First Street, Owner Edward S. Jones.

Councilor Jones declared a conflict of interest and abstained from voting, because he owned the property. In accordance with Section 112.3143 Florida Statutes, Councilor Jones filed form 8B Memorandum of Voting Conflict, which is incorporated as a part of these minutes as an attachment.

Moved by Shimp, seconded by Tankersley.

Motion: **TO ACCEPT THE RECOMMENDATION OF THE PLANNING AND REVIEW BOARD AS OUTLINED IN THE BOARD MINUTES OF MARCH 16, 1999, AND APPROVE THE PRELIMINARY DEVELOPMENT ORDER FOR PHASE II, RENOVATION AT 200 FIRST**

**STREET, OWNER EDWARD JONES.**

Roll Call Vote:

Ayes: 3 – Patronik, Shimp, Tankersley  
Noes: 1 - Vaughn  
Abstain: 1 - Jones

**MOTION CARRIED**

Naval Air Show **RESOLUTION:** Supporting the Naval Air Show. Mayor Vaughn deferred this item to the May 3, 1999 Regular Council Meeting.

CEB Appoint Joseph Waddill **RESOLUTION NO. 99-13: RESOLUTION APPOINTING JOSEPH WADDILL AS A REGULAR MEMBER OF THE CODE ENFORCEMENT BOARD.**

RESOLVED, the City Council of the City of Neptune beach, Florida hereby confirms the appointment of Joseph Waddill of 115 Oleander Street, to the Code Enforcement Board as a regular member to fulfill the unexpired term of Shelley B. Reid. The unexpired term to end December 13, 1999.

Moved by Shimp, seconded by Patronik.

**Motion: TO ADOPT RESOLUTION NO. 99-13, AS NOTED ABOVE.**

Roll Call Vote:

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

**MOTION CARRIED**

Hurricane Readiness **HURRICANE PREPAREDNESS:** Set a meeting workshop date to discuss the City's Hurricane Preparedness Policy and readiness.

Consensus: **SET MEETING DATE OF MAY 10, 1999 FOR ABOVE NOTED SUBJECT.**

Support for Mayor Delaney **PRESERVATION PROJECT:** Support for a letter to be sent to Mayor Delaney requesting that he include the purchase of 101 acres of maritime forest and marshes, located near Dutton Island in his proposed Preservation Project. Currently, said acres are to be developed into a 159 lot subdivision by Centex Homes.

Consensus: **APPROVE ABOVE NOTED LETTER, SIGNED BY ALL MEMBERS OF COUNCIL.**

A copy of said letter is incorporated, as attachment, to these minutes.

Adjournment There being no further business, the meeting adjourned at 9:40 p.m.

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George F. Vaughn, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Becky E. Hanks, CMC/AAE, City Clerk

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