



MINUTES
REGULAR CITY COUNCIL MEETING
JULY 6, 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 July 6, 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 Robert D. Shimp
 Councilor Ronald D. Patronik

City Manager Richard A. Linn
 Acting City Clerk Lisa Volpe
 Deputy City Clerk Karla Strait
 Building Official Dan Arlington
 Administrative Assistant Piper Turner
 Director of Finance John Herbst

Order Call/Pledge

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

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS

IBBC Volunteer of the year

Ish Brant Beautification Committee Volunteer of the Year: City Manager Linn stated that he was asked by the committee to place this on the agenda. Joanne Waddill was not present and asked that this be postponed to the August Regular City Council Meeting. Beth Tyler, Chairperson of the Events Committee, invited everyone to a reception at 6:40 p.m. before the August Regular City Council Meeting, for the Volunteer of the Year.

APPROVAL OF MINUTES

Approval of Minutes

Moved by Tankersley, seconded by Patronik.

Motion:

TO APPROVE THE FOLLOWING MEETING MINUTES:

JUNE 7, 1999 REGULAR
JUNE 21, 1999 TOWN HALL
JUNE 21, 1999 WORKSHOP
JUNE 21, 1999 SPECIAL

Changes to Minutes

Vice Mayor Tankersley stated that these changes needed to be made to the minutes before approval.

June 7, 1999 Regular City Council Meeting: Page 2, Paragraph regarding taxes.

Taxes: Vice Mayor Tankersley requested the Director of Finance to explore the possibility that a budget be proposed for the city to roll back taxes at least a quarter of a mill to off-

set the recent water rate increase, and suggested this item be placed on the June 21, 1999 Workshop Agenda.

June 21, 1999 Workshop City Council Meeting: Page 1, Under City Managers Punch List, Paragraph regarding Bike Path Penman Road.

- *Bike Path Penman Road:* Vice Mayor Tankersley recommended that City Manager Linn contact Calvin Burney of Jacksonville Transportation Authority, member of the Metropolitan Plan Organization, to ask that the bike path project for Penman Road and Florida Boulevard be moved forward.

Roll Call Vote:

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

Noes: 0

MOTION CARRIED.

COMMUNICATIONS AND CORRESPONDENCE

Turtle Ordinance No. 1999-01	<u>Turtle Ordinance No. 1999-01:</u> Councilor Shimp requested that Ordinance No. 1999-01, Turtle Protection, be placed on the July Workshop for discussion.
Slider's Oyster Bar Parking	<u>Sliders Oyster Bar Parking:</u> Councilor Shimp recommended to place on the July Workshop Meeting the parking situation at Sliders since they will be losing parking spaces, due to the Town Center Project.
Guard Rails on Kings Road	<u>Guard Rails on Kings Road:</u> Councilor Shimp stated that he had received telephone calls from citizens asking about guard rails on Kings Road and asked to place this on the July Workshop Meeting Agenda.
Day Care Business	<u>Day Care Business in Residential Areas:</u> Councilor Tankersley asked about a phone call he had received regarding a day care business. City Attorney White stated that the situation had been resolved.
For the Record	Mayor Vaughn stated on the record that he has not received any phone calls or any correspondence regarding the situation.
Commend Acting City Clerk	<u>Commend Acting City Clerk:</u> Councilor Patronik commended the Acting City Clerk Lisa Volpe for getting the minutes out so soon.
Out of Office	Acting City Clerk Lisa Volpe stated that she would be out of the office Thursday July 8, Friday July 9, and Monday July 12, 1999, for a vacation that she had planned before becoming Acting City Clerk, and that she would leave a forwarding number with the Deputy City Clerk.

CITY MANAGER REPORTS

House Count East of Third	<u>Report on house count east of Third Street:</u> City Manager Linn received a letter from Ivey, Harris and Walls, stating that there were 1,172 dwellings east of Third Street.
Ordinance No. 1999-04 Special Committees	<u>Ordinance No. 1999-04 Special Committees:</u> City Manager Linn apologized to Councilor Shimp for not placing this on the agenda for second and final read due to an oversight. It will be placed on the August Regular Council Meeting,

Guard Rails on Kings
Road Bridge

Guard Rails on Kings Road Bridge: City Manager Linn stated that he had received phone calls regarding the guard rails on Kings Road bridge and reported that Director of Public Works John Galen has contracted with a design consultant to do the mitigation work that was required by the Department of Transportation deficiency report. The deficiency report indicated these three items:

- End bends, the wing walls that support the roadway, replace the back wall timber and stabilize the slope protection.
- Install guardrails in accordance to current Florida Department of Transportation standards.
- Notify utility company to repair the PVC line on the bridge.

The consultant is working on these items. Councilor Shimp asked that the Acting City Clerk take this off the Workshop agenda.

COMMENTS FROM THE PUBLIC

Trisha Lepianka, 617 Davis Street, passed out pictures to Council of dead ducks being killed by too much tranquilizer bait and she feels this is a danger to the community

Harriet Pruette, 217 ½ Magnolia Street, asked the council to consider a referendum to run for Seats at large since our community is so small, she felt it would encourage more people to vote. Ms. Pruette also stated that the City Clerk should not be put under the City Manager and should be protected by the Charter.

CONSENT AGENDA / NONE

VARIANCES-NONE

ORDINANCES

Ordinance No.
1999-06

PUBLIC HEARING ORDINANCE NO. 1999-06, SECOND AND FINAL READ: AMENDING SECTION 7 ARTICLE II, BEACH REGULATIONS CODE OF THE CITY OF NEPTUNE BEACH; PROVIDING DESIGNATION OF SAFETY ZONES BY DIRECTOR OF PUBLIC SAFETY, ESTABLISHING HOURS OF SURFING ETC., LAUNCHING OF SEACRAFT ETC., DELETING PROVISIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

The Mayor read Ordinance No. 1999-06 by title only and opened the public hearing. There being no public comments, the public hearing was closed.

Moved by Tankersley, seconded by Patronik.

Motion: **TO ADOPT ORDINANCE NO. 1999-06, AS STATED.**

Friendly Amendment **Section 7-27, Strike ~~of~~ and add by.
Section 7-28 (A) strike comma
Section 7-32 (B) strike ~~or~~ Kayak**

Roll Call Vote:

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

MOTION CARRIED

Ordinance No.
1999-07

ORDINANCE NO. 1999-07 FIRST READ: AN ORDINANCE CALLING FOR A REFERENDUM TO AMEND SECTION 2.08 OF THE CHARTER TO REQUIRE THE CITY CLERK TO BE APPOINTED BY THE CITY COUNCIL; TO RECEIVE THE ANNUAL SALARY AND PERFORM DUTIES AS ESTABLISHED BY THE CITY COUNCIL; AND ESTABLISHING AN EFFECTIVE DATE.

Moved by Jones, seconded by Tankersley.

For the record

Mayor Vaughn stated on the record that this motion is out of order and if it continues it will continue under his protest.

Motion: **TO PASS ORDINANCE NO. 1999-07, AS STATED.**

Moved by Jones, seconded by Shimp.

Friendly Amendment: **ADD THE WORDS "AND SUPERVISED" AFTER THE WORD "DETERMINED".**

Roll call vote:

Ayes: 4 – Jones, Shimp, Patronik, Tankersley

Noes: 1 – Vaughn

MOTION CARRIED

OLD BUSINESS / NONE

Town Center Water
and Sewer Project

TOWN CENTER WATER AND SEWER PROJECT: Review and approve design of the water and sewer project presented by Post, Buckley, Schuh and Jerringan.

City Manager Linn changed his mind on approving the design and decided that it would be in the best interest of the city to bid this project out.

Moved by Jones, seconded by Shimp.

Motion: **TO APPROVE THE ACTING CITY CLERK TO ADVERTISE FOR BIDS.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

NEW BUSINESS

Red School House

SPECIAL EXCEPTION FOR THE RED SCHOOL HOUSE: Request for special exception for the Red School House to accommodate grades kindergarten through eighth and to include Lot 10 of the same block.

Moved by Jones, seconded by Patronik.

Motion: **TO ACCEPT THE RECOMMENDATION OF THE PLANNING BOARD AND APPROVE THE SPECIAL EXCEPTION FOR THE RED SCHOOL HOUSE AND INCLUDE ITEMS IN SECTION 27-160 AS FOLLOWS.**

- (1) The proposed use is consistent with the comprehensive plan;
- (2) The proposed use would be compatible with the general character of the area, considering the population density; the design, density, scale, location, and orientation of existing and permissible structures in the area; property values; and the location of existing similar uses;
- (3) The proposed use would not have an environmental impact inconsistent with the health, safety, and welfare of the community;
- (4) The proposed use would not generate or otherwise cause conditions that would have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety, and welfare of the community;
- (5) The proposed use would not have a detrimental effect on the future development of the area as allowed in the comprehensive plan;
- (6) The proposed use would not result in the creation of objectionable or excessive noise, light, vibration, fumes, odors, dust or physical activities inconsistent with existing or permissible uses in the area;
- (7) The proposed use would not overburden existing public services and facilities; and
- (8) The proposed use meets all other requirements as provided for elsewhere in this code.

(Ord. No. 91-1-5, & 2, 5-6-91)

Moved by Jones, seconded by Patronik.

Friendly Amendment: **REQUIREMENTS OF SECTION 27-160 HAVE BEEN MET BY THE APPLICANTS.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Beaches Air Show

JOINT SPONSORSHIP OF BEACHES AIR SHOW 2000: Joint sponsorship of Beaches Air Show 2000. Authorization for the City Manager to sign and serve on the steering committee.

Moved by Shimp, seconded by Jones.

Motion: **TO APPROVE ACTIONS REQUESTED AS STATED: CITY MANAGER LINN TO SIGN THE AUTHORIZATION AND SERVE ON THE STEERING COMMITTEE.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Resolution No. 99-17
Millage Rate

ADOPTION OF RESOLUTION 99-17: Adoption of Resolution 99-17. Certifying not to exceed millage rate to the County Property Appraiser.

Moved by Jones, seconded by Shimp

Motion: **TO ADOPT RESOLUTION 99-17.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Neighborhood
Matching Grant
Program

APPROVAL OF NEIGHBORHOOD MATCHING GRANT PROGRAM: To approve grant application for participation in the City of Jacksonville Grant Program.

Consensus: **FORWARD TO JULY 1999 WORKSHOP MEETING.**

Tennis Court Light
Contract

TENNIS COURT LIGHT CONTRACT AWARDED TO KIM'S ELECTRIC: Award of contract to Kim's Electric, Inc., in the amount of \$21,850 to replace the tennis court lights at Jarboe Park.

Moved by Shimp, seconded by Jones.

Motion: **TO APPROVE CONTRACT WITH KIM'S ELECTRIC IN THE AMOUNT OF \$21,850.**

Roll Call Vote:

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

Noes: 0

Adjournment

There being no further business, the meeting adjourned at 9:20 p.m.

George F. Vaughn, Jr., Mayor

ATTEST:

Lisa Volpe, Acting City Clerk

Approved: _____