



MINUTES
REGULAR CITY COUNCIL MEETING
FEBRUARY 7, 2000 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 7, 2000, 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.
 Councilor Ronald D. Patronik
 Councilor Robert D. Shimp
 Councilor Thomas A. Tankersley
 City Manager Richard A. Linn
 City Attorney Christopher White

City Clerk Lisa Volpe
 Director of Finance John Herbst
 Building Official Dan Arlington
 Deputy City Clerk Karla Strait

ABSENT:
 Vice Mayor Edward S. Jones

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

City Manager Linn presented Director of Finance John Herbst with a Certificate of Achievement for Excellence in Financial Reporting from the Florida Government Finance Association.

Director of Finance John Herbst gave a report on the financial status of the city.

Mayor Vaughn presented Grace Wazinski with a plaque for her late husband Phil Wazinski's Outstanding Volunteer Service on the Board of Appeals.

APPROVAL OF MINUTES

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

JANUARY 3, 2000, REGULAR
JANUARY 18, 2000, WORKSHOP
JANUARY 18, 2000, TOWN HALL
JANUARY 31, 2000, WORKSHOP

Moved by Patronik, seconded by Shimp.

Mayor Vaughn recognized that there was an error on the agenda under the approval of the minutes. The January Workshop and Town Hall Meetings were typed as January 17, 2000

and were actually held on January 18, 2000.

Mayor Vaughn asked that the January 18, 2000, Workshop Minutes have the record reflect that it was never his intent or his request that the interlocal agreement be opened for negotiation. That agreement was submitted through the City Attorney and that the only thing he asked for was a straight agreement with the City of Jacksonville and Neptune Beach.

Roll Call Vote:

Ayes: 4 - Patronik, Shimp, Tankersley, Vaughn

Noes: 0

Absent: 1 - Jones

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

February Workshop Meeting City Clerk Lisa Volpe requested that due to Presidents Day falling on Monday, February 21, 2000, that the February Workshop Meeting be held on Tuesday, February 22, 2000.

Consensus: TO HOLD THE FEBRUARY WORKSHOP MEETING ON TUESDAY, FEBRUARY 22, 2000.

Taxi Cab Stands Councilor Tankersley recognized that the taxicab stands were now in Town Center and thanked City Manager Linn.

CITY MANAGER REPORTS

Water Testing WATER TESTING FOR MTBE (Methyl tert-butyl ether) : City Manager Linn stated that our water supply had been tested on December 9, 1996 and there were no contaminants detected. Mr. Linn had spoken with Director of Public Works John Galen and was told that the water sample for the current three-year cycle had been sent out last week and the results would be forthcoming in about six weeks. Mr. Linn told council that he would add the issue to his punch list. Mr. Linn further stated that the Health Department felt that the risk of our water system in Neptune Beach being contaminated with this chemical was very low.

Hopkins Creek Fallout HOPKINS CREEK OUTFALL DOT PROJECT TRAFFIC CONTROL PLAN: City Manager Linn stated he had received a letter from Sally Rosier of the Department of Transportation. One of the options being considered for the traffic control plan was to close off Penman Road and divert the traffic down Seagate Avenue over to Fifth Street, up Florida Boulevard and back to Penman Road. Mr. Linn felt this was not a workable solution for the community and drafted a letter indicating his concerns. Mr. Linn asked council if they had any objections. Mr. Linn felt that it would not be in any interest to the community and had serious reservations about the safety.

Councilor Patronik asked City Manager Linn who would be paying for the cost. City Manager Linn responded that the outfall was the responsibility of the Florida Department of Transportation and was a three or four million-dollar project.

Mayor Vaughn suggested that City Manager Linn ask the Department of Transportation, if they had to do the project, to do it during the summer when school is out.

Wastewater Facilities Grant REQUEST FOR INCLUSION ON PRIORITY LIST FOR WASTEWATER FACILITIES GRANT REPORT: City Manager Linn explained that the grant was for disadvantaged small communities and that the deadline for the list was February 15, 2000. The funding for the grant program was from the interest of the state revolving loan fund. Neptune Beach qualified for inclusion on the list with about thirty other Florida communities. Priority would be given to communities that were experiencing a contamination or a health

problem. Mr. Linn added that we would be relatively low on the list because of this. However, Mr. Linn further explained that once your name was on the list that it would be on the list forever and that as other communities worked down we would eventually see some benefits. City Manager Linn added that if we could qualify for ten years that we could do a major portion of our sewer work from the grant.

Emergency
Management
Preparedness

EMERGENCY MANAGEMENT PREPAREDNESS ASSISTANCE TRUST FUND: City Manager Linn reported that Neptune Beach had made the list this year and was 28 out of 31 that may receive funding for emergency generators for lift stations and that the matching grant was \$23, 000.

COMMENTS FROM THE PUBLIC

Leslie Carlin, 1506 Spindrift Circle West, asked about the Wastewater Facilities Grant: if our income per capita increased could the grant be taken away. City Manager Linn responded "no".

Brad Duttera, 2026 Cherokee Drive, was concerned about taxes and the city purchasing more land instead of using it as a tax base.

Harriet Pruette, 217 ½ Magnolia Street, felt that the city needed to take care of the drainage problem that existed at the end of Atlantic Boulevard before adding an archway to Town Center. Ms. Pruette was also concerned about the Town Center Merchants not paying their fair share for the Town Center Project.

Mayor Vaughn responded to Harriet Pruettes' concerns stating that the town center merchants had committed to \$75,000 for the Town Center Project and at the last Project Oversight Committee Meeting over \$50,000 of those funds had been placed in the bank from the merchants. There was another meeting scheduled for the last week of the month for those merchants who had not participated to hopefully encourage them to come up with their portion. He was confident that the merchants would fulfill their commitment. Mayor Vaughn further stated that the drainage concern at the end of Atlantic Boulevard had been debated long before the Project Oversight Committee came along with the project and that there were no simple solutions to that problem. Mayor Vaughn added that the final design of the Archway was being drafted by the architect and would be a good addition to the project itself.

Councilor Shimp stated that he was against the archway and felt that it would look cheap. He was also concerned about the merchants not paying. The last meeting he had attended only 17 out of 64 had paid their share. He believed that the City had done everything it could for Town Center and felt that the Town Center Merchants and landowners needed to take some responsibilities and take the financial burden off the city.

For the Record Councilor Shimp stated that for the record he was out voted on the archway issue at the Project Oversight Committee Meeting.

Mayor Vaughn gave Harriet Pruette the name of Commissioner Desmond Waters of Atlantic Beach to contact for information regarding the collections of the Town Center Merchants.

Lynda Padrta, 1113 First Street, felt that the city did not need to spend money on an archway because there were other issues that needed to be addressed.

CONSENT AGENDA

CDBG Project &
Grandfather Parking
Spaces

SOLICIT BIDS FOR CDBG PROJECT & GRANDFATHER PARKING SPACES IN CONJUNCTION WITH TOWN CENTER PROJECT. These two items had been placed on the consent agenda to be voted on.

Moved by Shimp, seconded by Patronik.

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

Roll Call Vote:

Ayes: 4 – Patronik, Shimp, Tankersley, Vaughn

Noes: 0

Absent: 1 - Jones

MOTION CARRIED

VARIANCES / NONE

ORDINANCES

Ordinance No.
2000-01

ORDINANCE NO. 2000-01, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, ABANDONING, VACATING AND CLOSING A PORTION OF FIRST STREET BETWEEN NORTH STREET AN SOUTH STREET; AND ESTABLISHING AN EFFECTIVE DATE.

The Mayor read Ordinance No. 2000-01 by title only and opened the public hearing.

There being no public comments, the public hearing was closed.

Moved by Tankersley, seconded by Shimp.

Motion: **TO ADOPT ORDINANCE NO. 2000-01.ON FINAL READ AND PUBLIC HEARING AS STATED.**

Roll Call Vote:

Ayes: 4 – Patronik, Shimp, Tankersley, Vaughn

Noes: 0

Absent: 1 - Jones

MOTION CARRIED

Ordinance No.
1999-13

ORDINANCE NO. 1999-13, SECOND READ AND PUBLIC HEARING: AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE ADOPTED COMPREHENSIVE PLAN OF THE CITY OF NEPTUNE BEACH ON APPROXIMATELY .30 ACRE PARCEL OF LAND LOCATED WEST OF POINCIANA ROAD, NORTH OF BAY ROAD, EAST OF FLORIDA BOULEVARD, AND SOUTH OF KINGS CIRCLE SOUTH FROM COMMERCIAL MEDIUM DENSITY TO MEDIUM DENSITY RESIDENTIAL; PROVIDING AN EFFECTIVE DATE.

The Mayor read Ordinance No. 1999-13 by title only, and opened the public hearing.

Leslie Carlin, asked if the city would receive more taxes if the property remained commercial.

Building Official Dan Arlington responded that it would depend on what would be built there.

There being no further comments from the public, the public hearing was closed.

Moved by Shimp, seconded by Patronik.

Motion: **TO ADOPT ORDINANCE NO. 1999-13, ON FINAL READ AND PUBLIC HEARING AS STATED.**

Roll Call Vote:

Ayes: 4 - Patronik, Shimp, Tankersley, Vaughn

Noes: 0

Absent: 1 - Jones

MOTION CARRIED

Ordinance No.
1999-14

ORDINANCE NO. 1999-14, SECOND READ AND PUBLIC HEARING: AN ORDINANCE REZONING APPROXIMATELY .30 ACRE PARCEL OF LAND LOCATED WEST OF POINCIANA ROAD, NORTH OF BAY ROAD, EAST OF FLORIDA BOULEVARD, AND SOUTH OF KINGS CIRCLE SOUTH FROM COMMERCIAL MEDIUM DENSITY TO MEDIUM DENSITY RESIDENTIAL; PROVIDING AN EFFECTIVE DATE.

The Mayor read Ordinance No. 1999-14 by title only and opened the public hearing.

There being no comments from the public, the public hearing was closed.

Moved by Patronik, seconded by Shimp.

Motion: **TO ADOPT ORDINANCE NO. 1999-14, ON FINAL READ AND PUBLIC HEARING AS STATED.**

Roll Call Vote:

Ayes: 4 – Patronik, Shimp, Tankersley, Vaughn

Noes: 0

Absent: 1 - Jones

MOTION CARRIED

OLD BUSINESS / NONE

NEW BUSINESS

Resolution No.
2000-01

RESOLUTION NO. 2000-01: RESOLUTION APPOINTING AND REAPPOINTING BOARD MEMBERS TO BOARD OF APPEALS, CODE ENFORCEMENT BOARD, PLANNING AND DEVELOPMENT REVIEW BOARD, AND POLICE OFFICERS' RETIREMENT FUND BOARD

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

BOARD OF APPEALS

Member	Type	Term	Begins	Ends
Jay Ambler	Reappoint Alternate	1 year	2/1/2000	1/31/2001
Robert Hudson	Reappoint Alternate	1 year	2/1/2000	1/31/2000
Jim Stinekraus	Appoint Regular	3 year	2/25/2000	2/24/2001

CODE ENFORCEMENT BOARD

Member	Type	Term	Begins	Ends
Jimmy Gilbert	Reappoint Regular	3 year	09/04/1999	09/03/2002
Joseph Waddill	Reappoint Regular	3 year	12/14/1999	12/13/2002
Richard Keene	Appoint Regular	3 year	02/07/2000	02/06/2003
William Weldon	Reappoint Alternate	1 year	02/02/2000	02/01/2001

 PLANNING AND DEVELOPMENT REVIEW BOARD

Member	Type	Term	Begins	Ends
Brian Greenwood	Reappoint Regular	3 year	08/05/1999	08/04/2002
Joseph Sasser	Appoint Regular	3 year	02/07/2000	02/06/2003

 POLICE OFFICERS RETIREMENT FUND BOARD

Member	Type	Term	Begins	Ends
Donald Padgett	Reappoint Regular	2 year	09/02/1999	09/01/2001
Benton Rodriquez	Appoint Regular	2 year	02/07/2000	02/06/2002

Moved by Tankersley, seconded by Patronik.

Motion: **TO APPROVE RESOLUTION NO. 2000-01 AS NOTED ABOVE.**

Roll Call Vote:

Ayes: 4 – Patronik, Shimp, Tankersley, Vaughn

Noes: 0

Absent: 1 - Jones

MOTION CARRIED

Resolution No.
2000-02

RESOLUTION NO. 2000-02: RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA AUTHORIZING THE CITY ATTORNEY TO REPRESENT THE CITY OF NEPTUNE BEACH IN THE CONDEMNATION PROCEEDING WITH THE JACKSONVILLE TRANSPORTATION AUTHORITY FOR THE MAYPORT FLYOVER PROJECT.

WHEREAS, it is anticipated that other lawsuits may be filed against the City of Neptune Beach, Florida by the Jacksonville Transportation Authority; and

WHEREAS, the City of Neptune Beach, Florida desires to have Christopher A. White, Esq., Neptune Beach City Attorney, represent their interests in the above-referenced litigation.

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

SECTION 1. That the City Council of the City of Neptune Beach, Florida hereby authorizes Christopher A. White, Esq., City Attorney, to represent their interests and act as lead attorney in the condemnation suit filed in the Duval County Circuit Court, Fourth Judicial Circuit, Case No. 99-07491-CA, Division CV-A styled as Jacksonville Transportation Authority, Petitioner, vs. A. M. Coplan, Trustee for Syrian Lebanese Star Retirement Plan; Jacksonville Electric Authority; Water=s Edge Association, Inc.; City of Neptune Beach, Tax Department and Lynwood Roberts, Tax Collector for Duval County, Respondents and any other lawsuits instituted by Jacksonville Transportation Authority against the City of Neptune Beach, Florida relating to the Mayport Flyover project.

SECTION 2. Effective Date. This resolution shall become effective upon adoption.

Moved by Tankersley, seconded by Shimp

Motion: **TO APPROVE RESOLUTON NO. 2000-02 AS NOTED ABOVE.**

Roll Call Vote:

Ayes: 4 – Patronik, Shimp, Tankersley, Vaughn

Noes: 0

Absent: 1 - Jones

MOTION CARRIED

Adjournment

There being no further business, the meeting adjourned at 7:45 p.m.

George F. Vaughn, Jr., Mayor

ATTEST:

Lisa Volpe, City Clerk

Approved: _____