



MINUTES
REGULAR CITY COUNCIL MEETING
JULY 3, 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 July 3, 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.
Vice Mayor Edward S. Jones
Councilor Ronald D. Patronik
Councilor Robert D. Shimp
Councilor Thomas A. Tankersley
City Attorney Christopher White
City Manager Richard A. Linn

Assistant to the City Manager Terry Klein
City Clerk Lisa Volpe, CMC
Deputy City Clerk Karla Strait
Building Official Dan Arlington
Assistant to the Building Official Piper Turner
Finance Director 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

APPROVAL OF MINUTES

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

JUNE 5, 2000, REGULAR CITY COUNCIL MEETING
JUNE 19, 2000, WORKSHOP CITY COUNCIL MEETING
JUNE 19, 2000, TOWN HALL MEETING
JUNE 19, 2000, SPECIAL CITY COUNCIL MEETING

Moved by Patronik, seconded by Shimp.

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Council Shimp requested extending the parking on First Street to 12:00 a.m., for the July 4, 2000 holiday.

Consensus: **TO EXTEND THE PARKING ON FIRST STREET TO 12:00 A.M. FOR THE JULY 4, 2000 HOLIDAY.**

Jarboe Park Grant City Manager Linn announced that the grant for Jarboe park had been approved and we would receive \$112,500 and our match would be \$37,500.

Farmer's Market Councilor Tankersley asked what had happened with the proposed ordinance for a farmers market. City Manager Linn explained there needed to be another workshop to work out the final details of the proposed ordinance.

CITY MANAGER REPORTS/NONE

COMMENTS FROM THE PUBLIC

George Schoonover, 214 Oceanfront, was concerned that the proposed addition to the Sea Horse Motel would increase traffic flow, and create parking and noise problems.

John Northrup, 255 Myra Street, felt that a 5% increase in the City Manager's salary and a three-year contract was sufficient.

Robert West, 106 Hall Place, was concerned that the proposed addition to the Sea Horse Motel would create noise from amplified music and felt that alcohol should not be served outside the restaurant.

Craig Williams, 98 Orange Street, requested that council not allow music on the outer deck if the addition to the Sea Horse Motel was approved.

Harriet Pruette, 217 ½ Magnolia Street, felt that the city ordinances needed to be enforced. Ms. Pruette also felt that if the city had money it should increase the City Managers salary, replace signs and make improvements to the city easements, etc. without raising taxes.

Steven Hould, 111 Walnut Street, requested that council consider the value of the City Manager and recommended acceptance to his proposal.

Buddy Crout, questioned when the budget meetings would start and felt that a 5% increase in the City Managers salary was too low and a 15% increase was too high and a three-year contract was sufficient.

CONSENT AGENDA/NONE

VARIANCES / NONE

ORDINANCES

Ordinance 2000-05 ORDINANCE 2000-05 FINAL READ AND PUBLIC HEARING; AN ORDINANCE OF THE CITY OF NEPTUNE BEACH AMENDING AND RESTATING THE CITY OF NEPTUNE BEACH POLICE OFFICERS' AND FIREFIGHTERS' RETIREMENT SYSTEM AS ADOPTED PURSUANT TO ORDINANCE NO. 1997-10, AS SUBSEQUENTLY AMENDED, TO TERMINATE THE PLAN AS TO FIREFIGHTERS AND REMOVE FIREFIGHTERS FROM THE EXISTING RETIRMENT PLAN, AND REPEALING

ORDINANCE NO. 80, LEVYING AN EXCISE TAX ON FIRE INSURANCE PROVIDING FOR DEFINITIONS; PROVIDING FOR MEMBERSHIP; PROVIDING FOR A BOARD OF TRUSTEES; PROVIDING FOR FINANCES AND FUND MANAGEMENT; PROVIDING FOR CONTRIBUTIONS; PROVIDING FOR BENEFIT AMOUNTS AND ELIGIBILITY; PROVIDING FOR PRE-RETIREMENT DEATH BENEFITS; PROVIDING FOR DISABILITY BENEFITS; PROVIDING FOR VESTING OF BENEFITS; PROVIDING OPTIONAL FORMS OF BENEFITS; PROVIDING FOR BENEFICIARIES; PROVIDING CLAIMS PROCEDURES; PROVIDING FOR REPORTS TO THE DIVISION OF RETIREMENT; PROVIDING FOR A ROSTER OF RETIREES; PROVIDING FOR A MAXIMUM PENSION LIMITATION; PROVIDING MISCELLANEOUS PROVISION; PROVIDING FOR REPEAL OR TERMINATION OF THE SYSTEM; PROVIDING FOR EXEMPTION FROM, EXECUTION AND NON ASSIGNABILITY; PROVIDING FOR PENSION VALIDITY; PROVIDING FOR FORFEITURE OF PENSION UNDER CERTAIN CIRCUMSTANCE; PROVIDING FOR CONVICTION AND FORFEITURE, FALSE, MISLEADING OR FRAUDULENT STATEMENT; PROVIDING FOR INDEMNIFICATION AND DEFENSE OF CLAIMS; PROVIDING FOR DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS; PROVIDING FOR THE PURCHASE OF CREDITED SERVICE FOR ABSENCES PURSUANT TO THE FAMILY AND MEDICAL LEAVE ACT; PROVIDING FOR PURCHASE OF CREDIT FOR MILITARY SERVICE PRIOR TO EMPLOYMENT; PROVIDING FOR THE PURCHASE OF CREDITED SERVICE FOR PRIOR POLICE SERVICE; PROVIDING FOR A DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE. SPONSORED BY COUNCILOR TANKERSLEY

The Mayor read Ordinance No. 2000-05 by title only and opened the public hearing.

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

Moved by Shimp, seconded by Patronik.

Motion: **TO ADOPT ORDINANCE NO. 2000-05 ON FINAL READ AND PUBLIC HEARING AS STATED.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

OLD BUSINESS

Bid Approval for
Prado Ferrer Utilities
Improvements

BID APPROVAL FOR SOUTHERN DEVELOPMENT CORPORATION FOR PRADO FERRER UTILITIES IMPROVEMENTS: City Manager Linn explained that Smith & Gillespie Engineers had solicited and received four bids for the project and recommended awarding the contract in the amount of \$53,875.00 to Southern Development Corporation of Jacksonville.

Moved by Jones, seconded by Shimp.

Motion: **TO AWARD THE CONTRACT IN THE AMOUNT OF \$53,875.00 TO SOUTHERN DEVELOPMENT CORPORATION OF JACKSONVILLE.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

City Manager
Contract

CITY MANAGER EMPLOYMENT CONTRACT RENEGOTIATION/PERFORMANCE REVIEW: Mayor Vaughn stated that he had filled out an employee evaluation form on the City Manager and recommended that council do the same. Mayor Vaughn read each item on the list and gave his opinion of each.

Discussion ensued and each councilor gave their opinion.

For the record Councilor Tankersley stated on the record that he was one of the council members that did not vote for Mr. Linn because he was concerned about his assertiveness but he has other qualities that make up for it.

Moved by Shimp, seconded by Tankersley.

Motion: **INCREASE CITY MANAGERS SALARY 15% WITH A 5% INCREASE THE FOLLOWING TWO YEARS OF THE CONTRACT WITH THREE MONTHS SEVERANCE PAY AND A THREE-YEAR CONTRACT EFFECTIVE JULY 7, 2000.**

Roll Call Vote:

Ayes: 3 - Jones, Shimp, Tankersley

Noes: 2 – Patronik, Vaughn

MOTION CARRIED

Consensus: **HAVE THE CITY ATTORNEY DRAW UP THE TERMS OF THE CONTRACT AND PRESENT IT TO THE CITY MANAGER FOR ACCEPTANCE AT THE JULY 17, 2000, WORKSHOP MEETING.**

NEW BUSINESS

Auto Dialer

PERMISSION TO BID FOR AUTO DIALER: City Manager Linn explained that an auto dialer was a computerized telephone messaging service that would notify the public of emergency situations within the community. Officer Larry W. Dean explained to council how the auto dialer would work.

Moved by Shimp, seconded by Patronik.

Motion: **TO GIVE PERMISSION TO BID FOR THE AUTO DIALER.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Emergency Generator

PERMISSION TO BID FOR EMERGENCY GENERATORS: City Manager Linn explained that a grant had been received from the Department of Community Affairs to purchase emergency generators and recommended approval to advertise for bid.

Moved by Tankersley, seconded by Jones.

Motion: **TO GIVE THE CITY MANAGER PERMISSION TO BID FOR THE EMERGENCY GENERATORS.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Utility Receivables

OVERDUE UTILITY RECEIVABLES: City Manager Linn recommended the amount of \$17,755.50, for overdue utility bills, be written off the books in that collection would be highly unlikely.

Moved by Shimp, seconded by Tankersley.

Motion: **TO REMOVE THE OVERDUE UTILITY RECEIVABLES FROM THE BOOKS.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

FLC Voting Delegate

FLORIDA LEAGUE OF CITIES VOTING DELEGATE: City Manager Linn explained that the Florida League of Cities had requested notification of a voting delegate for the annual conference. Mr. Linn recommended that council designate a voting delegate.

Moved by Shimp, seconded by Jones.

Motion: **TO NOMINATE COUNCILOR TANKERSLEY TO BE THE VOTING DELEGATE.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

First Coast Investors

FIRST COAST INVESTOR, INC REQUEST FOR FINAL DEVELOPMENT ORDER: City Manager Linn asked the representative to come forward and make his presentation.

Steve Hamilton, 241 Fourth Street, presented to council a proposal for a 21,000 square foot medical/professional building to be located at 700 Third Street.

Moved by Shimp, seconded by Patronik.

Motion: **TO APPROVE FIRST COAST INVESTORS REQUEST FOR FINAL DEVELOPMENT ORDER.**

Roll Call Vote:

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

MOTION CARRIED

NBH Land Trust

NBH LAND TRUST REQUEST FOR FINAL DEVELOPMENT ORDER: City Manager Linn asked the representative to come forward and make his presentation.

David Cole and Pat Valentine proposed a third floor addition to the Sea Horse Motel.

Moved by Jones, seconded by Shimp.

Motion: **TO APPROVE THE FINAL DEVELOPMENT ORDER AS STATED.**

Roll Call Vote:

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

MOTION CARRIED

September Meeting

SEPTEMBER REGULAR CITY COUNCIL MEETING/LABOR DAY: Due to the Regular City Council Meeting falling on Labor Day, Councilor Jones recommended scheduling it for the following Monday.

Consensus: **TO MOVE THE REGULAR MEETING SCHEDULED FOR SEPTEMBER 4, 2000, TO SEPTEMBER 11, 2000.**

Agenda Change

AGENDA CHANGE: City Manager Linn asked council to amend the agenda adding three items, 12h, 12i, and 12j.

Moved by Tankersley, seconded by Shimp.

Motion: **TO AMEND THE AGENDA ADDING ITEMS 12H, 12I AND FORWARD RESOLUTION 2000-13 TO A SPECIAL MEETING ON JULY 17, 2000 AT 6:00 P.M.**

Roll call vote:

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

MOTION CARRIED

Master Utility Plan Resolution 2000-11 and 2000-12

AUTHORIZATION TO APPLY FOR STATE REVOLVING FUND LOAN AND DESIGNATE AUTHORIZED REPRESENTATIVE:

Moved by Jones, seconded by Tankersley

Motion: **TO ADOPT RESOLUTIONS 2000-11 AND 2000-12.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Adjournment

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

George F. Vaughn, Jr., Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____