



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**JULY 17, 2000 AT 7:40 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 July 17, 2000 at 7:40 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance:

IN ATTENDANCE:

Mayor George F. Vaughn, Jr.	Deputy City Clerk Karla Strait
Vice Mayor Edward S. Jones	Director of Finance John Herbst
Councilor Ronald Patronik	Building Official Dan Arlington
Councilor Robert D. Shimp	Assistant to the Building Official Piper Turner
Councilor Thomas A. Tankersley	Assistant to the City Manager Terry Klein
City Manager Richard A. Linn	City Attorney Christopher A. White
City Clerk Lisa Volpe, CMC	

Call to Order/Roll Call      The Mayor called the meeting to order at 7:40 p.m.

**COMMITTEE REPORTS**

IBBC      ISH BRANT BEAUTIFICATION COMMITTEE UPDATE: City Manager Linn announced that he had contracted with a landscape architect to draw the plans for the medians on Third Street. Mr. Linn stated that he was anxious to get the permit in place so we could get on with Mayor Delaney's Neighborhood Grant and was hoping it would be done within two weeks.

**CITY MANAGERS PUNCH LIST**

Traffic Signal Atlantic and Brandt      TRAFFIC SIGNAL AT ATLANTIC BOULEVARD AND BRANDT STREET: Mr. Linn explained that a letter had been received from the Department of Transportation addressed to Mayor Vaughn announcing that they were going to do a traffic signal study within 90 days.

Jarboe Park Improvements      JARBOE PARK IMPROVEMENTS: City Manager Linn reported about the park grant and he was accepting the Mayor's recommendation to use a general contractor.

Roadway Between Shopping Centers      ROADWAY BETWEEN SHOPPING CENTERS: City Manager Linn stated that this item was on the agenda under Issue Development.

Bike Path      BIKE PATH FLORIDA BOULEVARD AND PENMAN ROAD: City Manager Linn reported that he had received a phone call from Sally Rosier informing him that the Florida Department of Transportation was modifying the scope of work to meet with our

requirements.

- JTA – Trolley JTA ROUTING, SPEEDING AND TROLLEY: City Manager Linn stated that he would be attending the future Eastern Duval Transit Study Meetings.
- Navy Air Show NAVAL AIR SHOW: City Manager Linn explained that several details were still in the works including: (1) how to organize with N.A.S. Jacksonville, (2) whether to have one air show committee in two locations, (3) the depository for the funds.

#### **PROPOSED ORDINANCES**

- Ordinance No. 2000-04 ORDINANCE 2000-04 OPEN AIR MARKETS DISCUSSION: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES OF NEPTUNE BEACH TO INCLUDE THE NEW ARTICLE III AND SECTIONS THEREUNDER, ESTABLISHING THE REGULATION OF OPEN AIR MARKETS AND SALES IN THE CITY OF NEPTUNE BEACH; AND ESTABLISHING AN EFFECTIVE DATE.

Consensus: **TO ALLOW OPEN AIR MARKETS ON PRIVATE PROPERTY ONLY.**

Consensus: **HAVE THE CITY ATTORNEY CHANGE THE ORDINANCE TO READ THAT EACH VENDOR MUST GO THROUGH THE PLANNING & DEVELOPMENT REVIEW BOARD FOR PERMITTING AND HAVE THE ORDINANCE READY FOR SECOND AND FINAL READ AND PUBLIC HEARING FOR THE AUGUST 7, 2000, REGULAR CITY COUNCIL MEETING.**

- Storm Water Utility STORM WATER UTILITY ORDINANCE: City Manager Linn advised the Council that he recommended a Storm Water Utility because for the past several years all storm water activities had been funded out of the Local Option Gas Tax and the reserve had decreased. Mr. Linn explained that we needed a dedicated source of money for the funding.

- For the Record Councilor Shimp stated on the record that this was a residential community where people worked together and that we had one division in the city already and we didn't need anymore.

Consensus: **AUTHORIZE THE CITY MANAGER TO TAKE THE STORM WATER UTILITY TO THE NEXT LEVEL, INVESTIGATE, AND REPORT TO THE COUNCIL.**

#### **CONTRACT/AGREEMENTS**

- Underground Fuel Tanks PERMISSION TO ADVERTISE FOR BID OF REMOVAL OF UNDERGROUND FUEL TANKS - CITY YARD-WATER PLANT: City Manager Linn reported that we had a 2,000 gallon underground fuel storage tank at the city yard and a 200 gallon above ground tank with underground piping to the water plant. Mr. Linn then explained that the tanks were old and their soundness was questionable, and could be a liability to the city. Mr. Linn recommended that council consider approval to solicit bids for their removal.

Consensus: **MOVE TO APPROVE THE REMOVAL OF THE 2,000 GALLON UNDERGROUND FUEL STORAGE TANK AT THE CITY YARD AND THE 200 GALLON ABOVE GROUND TANK WITH UNDERGROUND PIPING AT THE WATER PLANT TO THE AUGUST 7, 2000, REGULAR CITY COUNCIL MEETING CONSENT AGENDA.**

- City Manager's  
Employment Contract      CITY MANAGER EMPLOYMENT CONTRACT: Vice Mayor Jones requested that Section 4C "If Employee is terminated, Employer agrees to provide for out placement services to Employee at its expense, should Employee desire them, in an amount not to exceed a total of Five Thousand (\$5,000)", be removed.
- Consensus:      **TO REMOVE SECTION 4C FROM THE CITY MANAGERS EMPLOYMENT CONTRACT.**
- Mayor Vaughn requested that the new contract Section 9, Hours of Work, include the language " after rendering appropriate notification to the Mayor, or in his/her absence, to the Councilor acting in the Mayor's absence " from the old contract.
- Consensus:      **TO HAVE THE CITY ATTORNEY ADD THE LANGUAGE "AFTER RENDERING APPROPRIATE NOTIFICATION TO THE MAYOR, OR IN HIS/HER ABSENCE, TO THE COUNCILOR ACTING IN THE MAYOR'S ABSENCE" TO SECTION 9 OF THE CITY MANAGER'S EMPLOYMENT CONTRACT.**
- Emergency Response  
Contract      EMERGENCY RESPONSE CONTRACT: City Manager Linn reported that the Florida Department of Environmental Protection required the city to maintain and have available a Release Detection Response Level Plan which would provide for a contact and description of corrective action to be taken in the case of an emergency. Mr. Linn explained that expenditures may exceed the \$10, 000 purchase limit and recommended that Council consider a service purchase agreement with Environmental Regency Group.
- Consensus:      **MOVE THE APPROVAL OF A SERVICE PURCHASE AGREEMENT WITH ENVIRONMENTAL REGENCY GROUP TO THE AUGUST 7, 2000, CONSENT AGENDA.**
- Recess/Reconvene      Mayor Vaughn called for a recess at 9:00 p.m. and the meeting reconvened at 9:15.
- ISSUE DEVELOPMENT**
- Adopt A Street End      ADOPT A STREET END REQUEST OF JOANN WADDILL TO COUNCILOR SHIMP: Councilor Shimp explained there was controversy between a resident and the Ish Brant Beautification Committee resulting over the shrubs on the city property at the end of Oleander Street.
- Consensus:      **TO STICK WITH THE ADOPT-A-STREET END PROGRAM THAT THE CITY ADOPTED THAT ALLOWED THE IBBC TO DESIGNATE THE ADOPTER AND HAVE THAT ADOPTER MAINTAIN THE SHRUBBERY.**
- Shopping Center  
Connector      SHOPPING CENTER CONNECTOR ROAD REPORT- SMITH AND GILLESPIE: City Manager Linn reported that Smith & Gillespie Engineers had conducted a feasibility report for a connecting road between two shopping centers on Atlantic Boulevard and asked the council for direction.
- Consensus:      **TO ALLOW CHAIRMAN OF THE PLANNING & DEVELOPMENT REVIEW BOARD JOHN WELDON TO WORK WITH THE CITY MANAGER IN NEGOTIATIONS WITH THE DEVELOPERS TO GET THEM TO GIVE MONEY FOR THE PROJECT.**
- Public Records      PUBLIC RECORDS REQUEST OF MAYOR: Mayor Vaughn explained that he had

- Request requested public records from the Director of Public Safety William Brandt in September of 1998 and still had not received them. City Manager Linn recommended that Council determine if this was considered a city sponsored request or a request by a private citizen.
- A lengthy discussion ensued and there was no consensus of council.
- Surplus Motorcycle **REQUEST FOR SALE OF SURPLUS MOTORCYCLE:** City Manager Linn reported that the Police Department had taken title to 1985 Harley Davidson motorcycle as a result of a forfeiture. Mr. Linn requested Council's approval to declare the motorcycle surplus property and to offer it at auction, with a minimum reserve of \$8,000.
- Consensus: **FORWARD TO THE AUGUST 7, 2000, REGULAR CITY COUNCIL MEETING CONSENT AGENDA.**
- L. D. R. **LAND DEVELOPMENT REVIEW:** Mayor Vaughn asked council to agree on a date for the next City Council Workshop Meeting to consider the Revised Land Use Code (Chapter 27).
- Consensus: **TO HOLD THE NEXT CITY COUNCIL WORKSHOP FOR THE LAND DEVELOPMENT REVIEW ON JULY 24, 2000.**
- Duplex Issue in R4 District **DISCUSSION OF DUPLEX ISSUE EAST OF THIRD STREET - R4 DISTRICT:** Councilor Shimp asked for a consensus of Council to direct Building Official Dan Arlington to allow duplexes to be constructed on the remaining 12 vacant lots east of Third Street. This issue was a result of City Attorney White's legal opinion concerning the square footage per lot needed in order to build a duplex. Mr. Shimp explained that the lots had been zoned for duplexes before the Comprehensive Land Use Plan went into effect. Councilor Shimp requested that Mr. Arlington start looking for illegal non conforming properties, and to present future similar problems to the Council or the Planning and Development Board.
- A lengthy discussion ensued and there was no consensus.
- First Street Parking **FIRST STREET PARKING IN TOWN CENTER:** City Manager Linn stated that he had received a letter from the owner of Allen's Jewelers regarding the changed parking patterns in Town Center and requesting that the time limit on parking spaces in front of City Hall be re-instituted.
- Consensus: **TO RE-INSTITUTE THE TIME LIMITED PARKING SPACES ON FIRST STREET IN FRONT OF CITY HALL.**
- Public Comments **PUBLIC COMMENTS ON AGENDA ITEMS ONLY**
- Jo Anne Waddill, 115 Oleander Street, felt that the hedges at Strand and Oleander were unsafe for children and that they should be cut down to 4 feet per the City Code.
- Harriet Pruette, 217 ½ Magnolia Street, felt that the Lacey's should be allowed to build a duplex on their lot. She also stated that the Mayor needed to turn in his public records to the city clerk.
- Lynda Padrta, 1113 First Street, applauded Mrs. Waddill and Ms. Pruette for their efforts in keeping the street ends open to the public. Ms. Padrta was upset that the Mayor chose to usurp the authority that had been given to the Beautification Committee to work with the street ends. Ms. Padrta also felt that the reason children did drugs was because of inadequate parental supervision.

Lynn Lacey, 1112 First Street, asked the Council what the next step would be regarding building a duplex on her lot.

Adjournment

There being no further business, the meeting adjourned at 11:25 p.m.

Attest:

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George F. Vaughn, Jr., Mayor

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Lisa Volpe, CMC, City Clerk

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