



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**OCTOBER 2, 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 October 2, 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  
 City Clerk Lisa Volpe, CMC  
 Deputy City Clerk Karla Strait  
 Building Official Dan Arlington  
 Assistant to the City Manager Terry Klein  
 Assistant to the Building Official Piper Turner

## 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/NONE**

**APPROVAL OF MINUTES**

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

**SEPTEMBER 11, 2000, REGULAR CITY COUNCIL MEETING**  
**SEPTEMBER 18, 2000, SPECIAL CITY COUNCIL MEETING**  
**SEPTEMBER 18, 2000, WORKSHOP CITY COUNCIL MEETING**  
**SEPTEMBER 18, 2000, TOWN HALL MEETING**  
**SEPTEMBER 21, 2000, LAND DEVELOPMENT REGULATIONS**

City Clerk Lisa Volpe announced that the minutes for the September 7, 2000, Special Budget Meeting were accidentally left out of the agenda packet and that they would be placed on the November Regular Council Meeting agenda for approval.

Moved by Patronik, seconded by Shimp.

## Roll Call Vote:

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

**MOTION CARRIED**

**COMMUNICATIONS AND CORRESPONDENCE**

Councilor Shimp requested that "No Parking" signs be placed along Forest Avenue behind Neptune Beach Elementary School and asked that it be placed on the next Workshop Agenda. Mr. Linn responded that the signs were put up last week and would be enforced. Councilor Shimp then asked that the issue not be placed on the Workshop Agenda.

**CITY MANAGER REPORTS**

NB Elementary  
Lighting

**LIGHTING AT NEPTUNE BEACH ELEMENTARY SCHOOL:** City Manger Linn reported that the lighting would need approval from the Assistant Superintendent, Facilities Division of the Duval County School Board. Mr. Linn added that he had spoken with the City Manager of Jacksonville Beach George Forbes who informed him that the Jacksonville Beach Utility Department would draw up the plans necessary for approval.

AT&T Events

**AT&T BROADBAND SPONSORED EVENTS:** City Manger Linn stated that according to the franchise agreement with Media One/AT&T Broadband we could use the funds for the Green Market without their approval because it would benefit the public.

Petition for Local 630

**PETITION FOR UNIT CLARIFICATION LOCAL 630:** City Manager Linn stated that he had a petition from Local 630 for the city employees that were not covered by the existing agreement. Mr. Linn announced that he had objected to two of the employees that were classified: 1) the Assistant to the City Manager and, 2) the Building Official. Mr. Linn stated that he asked the union to call for a formal vote of the employees that wished to join the union. Mr. Linn explained that the council could overrule his decision.

Moved by Shimp, seconded by Tankersley.

Motion: **TO SUPPORT MR. LINN TO GO BACK AND HAVE EMPLOYEES TAKE A VOTE.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

**COMMENTS FROM THE PUBLIC**

Public Comments

Kirk Cobb, 112 Orange Street, felt that having Cherry Street one-way would just move the problem one block.

Steve Hould, 111 Walnut Street, opposed one-way on Cherry Street because it would shift traffic to the alley.

Robert Leinenweber, 312 Midway, opposed one-way on Cherry Street.

Fred Cattar, 110 Walnut Street, opposed one-way on Cherry Street because it would divert traffic to Walnut.

Lynda Padrta, 1113 First Street, opposed garage apartments and swimming pools being too close to property lines. Ms. Padrta questioned the definition of townhouses and felt that Cherry Street one-way would cause an impact on the community.

William Worsham, 8018 Buchannan Court, Jacksonville, the Business Manager of the Local 630 thanked the council for allowing employees to vote on becoming a union

and informed the council of the proposed changes of the existing contract including 1) option to receive pay for unused sick days and bonus days and 2) twice the annual salary in lieu of the current annual salary for life insurance.

Laura Patronik, 1520 Leeward Lane, submitted a letter regarding solutions for the violence at Fletcher High School.

Fred DeSapio, 114 19<sup>th</sup> Avenue North, Jacksonville Beach, felt that Article V of the Land Use Revisions should go to a workshop meeting before being voted on for first read.

Chris Lawing, 1726 6<sup>th</sup> Avenue North, Jacksonville Beach, asked council to address the issue of different types of R-4 districts. Mr. Lawing explained that he had wanted to build a duplex west of Third Street and was denied.

Michael Dunlap, 212 Lora Street, supported garage apartments.

Charles Gear, 1004 Second Street, urged council to table the Land Use Code Revisions because he felt a portion of the population did not understand the impact.

Donald White, 1414 First Street, favored garage apartments, storage spaces, and larger set backs requirements.

Brian Greenwood, 222 Myrtle Street, asked council to postpone action on the Land Use Code Revisions so more work could be done on the revisions.

Harriet Christovich, 110 Seagate Avenue, felt the public was not well informed on garage apartments. Ms. Christovich also asked that the south end of First Street be beautified.

Steve Jarrett, 210 South Street, favored garage apartments as special exceptions and opposed having an Architectural Review Committee.

Peter Coalson, 1614 Coquina Place, Atlantic Beach, favored garage apartments and felt the city had the power to limit kitchens in these units.

Harriet Pruette, 217 1/2 Magnolia Street, stated garage apartments would impact everyone and felt that the issue should be postponed until council knew exactly how many illegal units, multi family units, single family units and undeveloped lots were in the area.

Claire Zaiser, 109 Davis Street, wanted to know if Ordinance No. 2000-14 was on the agenda because it dealt with garage apartments.

#### **CONSENT AGENDA/NONE**

#### **VARIANCES/NONE**

#### **ORDINANCES**

Discussion ensued about Ordinance 2000-14 being added to the agenda. Vice Mayor Jones asked why Ordinance 2000-11 had not been changed as requested. City Attorney White responded that there was not sufficient time or enough information to make the substantial changes for a second read.

Ordinance 2000-11

**ORDINANCE NO. 2000-11, PUBLIC HEARING AND FINAL READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING SECTION 27-324, DEFINITIONS; AMENDING SECTIONS 27-328(3) AND 27-328(4)**

The Mayor read Ordinance No. 2000-11 by title only and opened the public hearing.

Harriet Pruette, 217 1/2 Magnolia Street, opposed changing the square footage of garages from 125 to 500.

Buddy Crout, 1074 Kings Road, did not think council knew enough about the Land Use Revisions to rush them through.

Donald White, 1414 First Street, felt that the reason for Ordinance No. 2000-11 was because the 10 ft x 12 ft accessory buildings that the current code allowed for were not large enough.

Claire Zaiser, 109 Davis Street, felt the definition of garages should include "covered".

Donald White, 1414 First Street, added that garages not only housed motor vehicles they were also used for storage.

Steve Hould, 111 Walnut Street, felt there should not be a vote until everyone understood what they were voting for.

There being no further comments the public hearing was closed.

Discussion ensued.

Vice Mayor Jones requested that the City Clerk Lisa Volpe prepare a verbatim of the September 21, 2000 Land Development Regulations Council Meeting.

Moved by Jones, seconded by Shimp.

Motion: **TO ADOPT ORDINANCE 2000-11.**

Roll Call Vote:

Ayes: 0

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

**MOTION FAILED**

**OLD BUSINESS/NONE**

**NEW BUSINESS**

AT&T Events

**APPROVAL OF LIST OF EVENTS TO BE SPONSORED BY AT&T BROADBAND TRUST FUND:** City Manager Linn recommended approval of the list of sponsored events which included Dial-A-Ride and the Green Market.

Moved by Shimp, seconded by Tankersley.

Motion: **TO APPROVE THE SPONSORED BY AT&T BROADBAND EVENTS.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

Town Center  
Maintenance  
Agreement

MAINTENANCE AGREEMENT FOR TOWN CENTER: City Manager Linn explained the three party maintenance agreement between Neptune Beach, Atlantic Beach and the City of Jacksonville and recommended approval.

Moved by Shimp, seconded by Patronik.

Motion: **TO APPROVE THE TOWN CENTER MAINTENANCE AGREEMENT.**

Discussion ensued regarding Neptune Beach's responsibilities.

Legal Opinion City Attorney Chris White cautioned the approval of the maintenance agreement without Exhibit A.

MOTION WITHDRAWN

Council directed City Manager Linn to clarify contradictions and asked that Exhibit A be attached before approval.

## Hurricane Doors

APPROVAL OF HURRICANE DOORS FOR CITY HALL BUILDING: City Manager Linn explained that the new proposal of \$4,889 for hurricane doors for the City Hall building, extended the height of the doors so they would be hidden from view.

Moved by Shimp, seconded by Patronik.

Motion: **TO APPROVE THE PURCHASE OF THE HURRICANE DOORS.**

Roll Call Vote:

Ayes: 4 - Patronik, Tankersley, Shimp, Vaughn

Noes: 1 - Jones

MOTION CARRIED

Cherry Street One  
Way

RESOLUTION NO. 2000-17, DESIGNATION OF 200 BLOCK OF CHERRY STREET AS ONE-WAY WESTBOUND FOR A 60-DAY TRIAL PERIOD: City Manager Linn submitted Resolution 2000-17 to one-way Cherry Street as directed by Council at the October 2, 2000, Regular Council Meeting.

Moved by Jones, seconded by Vaughn.

Motion: **TO APPROVE RESOLUTION 2000-17.**

Roll Call Vote:

Ayes: 2 - Jones, Vaughn

Noes: 3 - Patronik, Shimp, Tankersley

MOTION FAILED

## Local 630 Union

APPROVAL OF LOCAL 630 UNION CONTRACT MODIFICATIONS: City Manager Linn explained that Local 630 had the option to reopen its contract that expired September 30, 2001. Mr. Linn explained that the union employees had requested the following change in Article 12; be allowed to collect pay for unused sick days and bonus days, and the following change in Article 16; to increase their life insurance from their regular annual salary to twice their annual salary.

Moved by Jones, seconded by Tankersley.

Motion: **TO NOT ACCEPT THE CONTRACT MODIFICATIONS.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

Recess/Reconvene Mayor Vaughn called for a recess at 9:00 and the meeting reconvened at 9:15.

Kings Road  
Subdivision/ Forest  
Avenue Subdivision

**CONSIDERATION OF A FINAL DEVELOPMENT ORDER FOR KINGS ROAD SUBDIVISION AND FOREST AVENUE SUBDIVISION:** City Manager Linn introduced the developer of the property Steve Jarrett. Mr. Jarrett requested that Council approve the development orders contingent on the approval of the St. Johns River Water Management District and the following issues involving engineering brought up by the city's engineers:

- 1) the stormwater system having a filter structure incase the system does not work,
- 2) a water line upgrade in front of the Kings Road Subdivision,
- 3) changing the diameter of the cul-de-sacs radii from 30 to 34 feet,
- 4) shallow sewer lines in both subdivisions that are less than 36 inches deep; the Kings Road Subdivision needed to be changed to either individual grinder pumps, a lift station, or adjust the thickness of the pipes to go with the gravity pull, and the Forest Boulevard Subdivision should go across street to a deeper sewer line.

Discussion ensued on council about the best solutions and Councilor Shimp added that any new lift stations had to be subterranean.

Moved by Jones, seconded by Patronik.

Motion: **TO APPROVE BOTH FINAL DEVELOPMENT ORDERS FOR KINGS ROAD SUBDIVISION AND FOREST AVENUE SUBDIVISION WITH THE CONDITIONS THAT STEVE JARRETT LISTED WITH APPROVAL FROM THE SAINT JOHNS RIVER WATER MANAGEMENT DISTRICT AND THE PUBLIC WORKS' ENGINEERS.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

New Leaf School

**CONSIDERATION OF A SPECIAL EXCEPTION - NEW LEAF SCHOOL 407 THIRD STREET:** City Manager Linn introduced Ronda Steinke-McDonald.

Ronda Steinke-McDonald proposed to council a special exception for "New Leaf School" allowing for a second floor addition to the Neptune Baptist Church. Ms. McDonald explained that the school would provide for a maximum of 20 5<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> grade students who had not been successful in the traditional school setting.

Moved by Jones, seconded by Patronik.

Motion: **TO APPROVE THE SPECIAL EXCEPTION FOR THE NEW LEAF SCHOOL AT 407 THIRD STREET.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

LDR Group III

SET DATE AND/OR PROCEDURE FOR CONSIDERATION OF GROUP THREE OF LAND DEVELOPMENT REGULATION REWRITE: Discussion ensued about the current council reviewing Group III or if Group III should be referred to the incoming council. Vice Mayor Jones requested that a special meeting be held after the October Workshop Meeting for a first read on Group II.

Legal Opinion

City Attorney White advised that would not be the best way because there would not be adequate time to prepare and notice the ordinance for a public hearing.

Moved by Shimp, seconded by Tankersley.

Motion: **TO TABLE GROUP III TO THE NEXT COUNCIL AND SEND GROUP II TO THE OCTOBER WORKSHOP.**

Roll Call Vote:

Ayes: 4- Jones, Patronik, Shimp, Tankersley

Noes: 1 - Vaughn

MOTION CARRIED

Adjournment

There being no further business, the meeting adjourned at 10:32 p.m.

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George F. Vaughn, Jr., Mayor

ATTEST:

\_\_\_\_\_  
Lisa Volpe, CMC, City Clerk

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