



MINUTES
WORKSHOP CITY COUNCIL MEETING
JANUARY 22, 2001 AT 7:00 P.M.
CITY HALL, 116 FIRST STREET
NEPTUNE BEACH, FLORIDA

Pursuant to proper notice a Workshop Meeting of the City Council of the City of Neptune Beach was held January 22, 2001 at 7:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance:

IN ATTENDANCE:

Mayor Dick Brown
Vice Mayor Robert D. Shimp
Councilor Ronald Patronik
Councilor Harriet Pruette
Councilor J. W. "Buddy" Crout
City Manager Richard A. Linn
City Attorney Christopher White
City Clerk Lisa Volpe, CMC

Deputy City Clerk Karla Strait
Assistant to the City Manager Terry Klein
Finance Director Steve Ramsey
Building Official Dan Arlington
Assistant to the Building Official Piper Turner
Director of Public Works John Galen
Director of Public Safety William Brandt

Call to Order/Roll Call The Mayor called the meeting to order at 7:00 p.m.

COMMITTEE REPORTS

IBBC

ISH BRANT BEAUTIFICATION COMMITTEE: City Manager Linn reported that the plans for the Third Street/A1A medians had been introduced and the committee was waiting for the permit. Mr. Linn added that Councilor Holland of the Jacksonville City Council sponsored a bill that would provide \$40,000 to install an irrigation system in the medians and would go the Jacksonville City Council for approval. Mr. Linn also mentioned that the "yard of the month" signs had been vandalized and replaced.

CITY MANAGERS PUNCH LIST

Traffic Signal / Atlantic Blvd. & Brant Blvd.

TRAFFIC SIGNAL AT ATLANTIC BOULEVARD & BRANT BOULEVARD INTERSECTION: Vice Mayor Shimp asked if the traffic signal could be removed from the punch list since the city had done everything they could do about having one installed. City Manager Linn responded that the traffic signal was now left up to the Department of Transportation.

Jarboe Park Improvement

JARBOE PARK IMPROVEMENT: City Manager Linn explained that the architect was expected to present drawings for the Jarboe Park improvements this month.

Kings Road Bridge

KINGS ROAD BRIDGE REPLACEMENT: Vice Mayor Shimp asked if this item could be removed from the Punch List.

- Bike Path / Penman Road** BIKE PATH – PENMAN ROAD: City Manager Linn advised that Sally Rosier with the Department of Transportation was expecting to have the plans completed in January.
- Naval Air Show** NAVAL AIR SHOW: Vice Mayor Shimp asked that the City Manager's punch list clarify that the Air Show was placed on the T.V. Trust Fund as a one time only expense.
- Media One/AT&T** MEDIA ONE / AT&T CABLE BOXES: Councilor Pruette requested the City Manager stay abreast on the Media One/AT&T cable box problems that would be discussed later tonight.
- Request for removal of items from punch list** CITY MANAGER'S REQUEST FOR REMOVAL OF ITEMS FROM HIS PUNCH LIST: City Manager Linn asked Council for a consensus to remove the Kings Road bridge replacement, the traffic signals, and the shuttle trolleys from his punch list.
- Consensus: **TO REMOVE THE KINGS ROAD BRIDGE REPLACEMENT, THE TRAFFIC SIGNALS AND THE SHUTTLE TROLLEYS FROM THE CITY MANAGERS PUNCH LIST.**
- Short Term Rentals** SHORT TERM RENTALS: Councilor Patronik inquired as to why short term rentals had been removed from the City Manager's punch list. City Manger Linn responded that short term rentals were part of the Land Development Regulations and the problem had resolved itself because the property in question had been sold and was currently being developed into a single family dwelling.

PROPOSED ORDINANCES/NONE

CONTRACT/AGREEMENTS

- Solid Waste & Recycling** SOLID WASTE & RECYCLING COLLECTION CONTRACT WITH BFI: City Manger Linn explained that the solid waste collection contract would expire on May 31, 2001, and a new one needed to be in effect by June 1, 2001. Mr. Linn recommended acceptance of the low bid from Brown, Ferris, Industry's. Mr. Linn added that toter's for each resident had been included in the proposal and recommended not accepting that option. Mr. Linn stated further that he and Finance Director Steve Ramsey would recommend new rates before June 1, 2001.
- Vice Mayor Shimp suggested looking at the bid from Superior because it lowered residential rates and raised commercial rates instead of increasing rates across the board.
- Legal Opinion** City Attorney White advised that by statutory obligation the City was required to take the lowest most responsible bid. Mr. White offered to research and present to Council if a bid would be acceptable if it was lower for residential as opposed to commercial.
- City Manager Linn added that in addition to the 10% franchise fee the contract included Monday pick up of yard waste and a donation to a holiday Christmas lighting program.
- Pilot Program** Vice Mayor Shimp asked about the large containers that were out at the city yard. City Manager Linn explained they were for a pilot project to replace the blue commercial boxes throughout the city and could not be used because the trucks were unable to lift the boxes out of the ground.
- Mr. Linn was asked to place this item on his punch list.
- Change Orders/** CHANGE ORDERS FOR HARCON ENTERPRISES IN THE AMOUNT OF \$99,003: City

Harcon Enterprises Manager Linn explained that the contractors had submitted a change order in the amount of \$99,003, for various work performed due to the difficulties they encountered with the bore and jacks under A1A. Mr. Linn stated the amount of the change order included sheet piling that was required by the Department of Transportation which the contractor had not included in his bid. Mr. Linn added he was not ready to make a recommendation and suggested moving the issue to a separate workshop.

A lengthy discussion ensued.

A separate workshop was suggested for discussion of this problem.

COMMENTS FROM THE PUBLIC

Public Comments Former Vice Mayor & Councilor Ed Jones, 200 First Street, felt a 10% salary increase for the City Clerk was appropriate. Mr. Jones also urged council members to spend time with the contractors and the City Manager to become more knowledgeable about the sewer project.

Joe Demato, 249 Florida Boulevard, stated the residents on the corner of Third Street and Florida Boulevard had been deeply impacted and inconvenienced by the sewer project and were concerned about the length of time and cost of the project.

Former City Councilor & Vice Mayor Tom Tankersley, 1038 Kings Road, stated the previous council, in which he was part of, was told that the gravity system would work and he felt the contractors should be held responsible. He felt the city should abandon the Hopkins Creek property to the adjacent property owners because the city wasn't using it. Mr. Tankersley supported a 5% increase in the City Clerk's salary and also felt something should be done about the loose cable wires and boxes throughout the city.

David Baker, 1102 First Street, stated that as a business man if he hired a consultant he would expect the consultant to know what he was doing and the contractors selected should have been reviewed and qualified by the consultant. He thought the consultant and the contractor should be reconsidered. Mr. Baker also felt that the city should not be divided by naming east of Third Street "Seaside". Mr. Baker stated he had witnessed city employees cleaning up after the Media One/AT&T Broadband installation.

Lynda Padrta, 1113 First Street, preferred a garbage contract that would provide a financial break for the citizens shifting the higher expense to the businesses. Ms. Padrta added she had spoken with the cable company and they had not responded in the last year. She also felt that east of Third Street should not be named "Seaside".

ISSUE DEVELOPMENT

Tuition
Reimbursement
Program

REPAYMENT OF TUITION REIMBURSEMENT & CHANGE IN PERSONNEL POLICY:
City Manager Linn presented a change to the personnel policy that the previous council had requested him to prepare during the budget preparation. The new policy would provide employees who received a reimbursement for tuition and left employment with the city would be required to repay 100% within one year and 50% within two years of the moneys having been received.

Consensus: **TO FORWARD THE PERSONNEL POLICY CHANGE REQUIRING TUITION REIMBURSEMENT TO THE FEBRUARY AGENDA.**

- Resolution No. 2001-03 RESOLUTION NO. 2001-03, STATE REVOLVING FUND FOR PHASE 1 B&C WATER PROJECT: City Manager Linn explained Resolution No. 2001-03 would authorize funding in the amount of \$211,033 for Phase 1 B&C of the water project and needed to be passed before February 5, 2001. Mr. Linn added the loan agreement needed to be executed by March 31, 2001.
- Consensus: **TO FORWARD RESOLUTION 2001-03, STATE REVOLVING FUND FOR PHASE 1 B&C WATER PROJECT TO THE FEBRUARY REGULAR CITY COUNCIL MEETING CONSENT AGENDA.**
- Resolution No. 2001-02 RESOLUTION NO. 2001-02, SETTING SALARY FOR THE CITY CLERK: Mayor Brown explained that Resolution No. 2001-02 called for a 5% increase in the City Clerk's salary. Discussion ensued over the percentage. A majority of council agreed on 5%.
- Consensus: **TO FORWARD RESOLUTION 2001-02, SETTING THE CITY CLERKS SALARY TO THE FEBRUARY REGULAR CITY COUNCIL MEETING CONSENT AGENDA.**
- Resolution No. 2001-04 RESOLUTION NO. 2001-04, SUPPORT FOR FLORIDA DEFENSE ALLIANCE – LEGISLATION TO CONTROL PAYDAY LOAN COMPANIES: Mayor Brown stated that Resolution No. 2001-04 called for legislation to control the payday loan companies.
- Consensus: **TO FORWARD RESOLUTION 2001-04, SUPPORTING FLORIDA DEFENSE ALLIANCE TO THE FEBRUARY REGULAR CITY COUNCIL MEETING CONSENT AGENDA.**
- Cable/Phone Boxes CONDITION OF CABLE/PHONE BOXES IN THE CITY: Councilor Pruette stated her concern about the city's liability of the loose cable wires and cable boxes left by Media One/AT&T Broadband throughout the city. Ms. Pruette added that Anne Murphy of AT&T Broadband had been contacted about the problem and nothing had been done in response. Ms. Pruette asked City Attorney White to look over the franchise agreement that was signed in 1992 to see if it could be renegotiated and asked that this item be placed on the February workshop agenda. Ms. Pruette suggested that the City Manager speak with Anne Murphy on a weekly basis. City Manager Linn stated that he would like a list of each cable location so his office could track each problem as it arose. Council also discussed the expenses that the city had incurred for street sweeping, sewer backups, cut water lines, and pipes, that were caused by the new cable installation.
- Truck Parking at Shopping Centers TRUCK PARKING AT SHOPPING CENTERS: Vice Mayor Shimp stated tractor trailers that had been parking in the shopping center parking lots were an eyesore and were not being ticketed. City Attorney White advised the law placed the obligation on the property owner. Vice Mayor Shimp stated the city had an ordinance in place to ticket them. City Manager Linn responded that the ordinance was for residential property only. Councilor Pruette suggested getting a letter from the owners of the lots allowing permission to ticket the parked tractor trailers. City Manager Linn responded that we currently had a letter from the property owner that allowed us to ticket them. Mayor Brown asked City Attorney White to review the problem.
- Council Goals DISCUSSION OF GOALS OF COUNCIL: Councilor Pruette offered to forward this to the February workshop meeting.
- Consensus: **TO FORWARD DISCUSSION OF COUNCIL GOALS TO THE FEBRUARY WORKSHOP MEETING.**
- Public Survey PUBLIC OPINION SAMPLING SURVEY OF RECREATIONAL VEHICLE PARKING: City

Manager Linn explained he would like to survey every 20th water customer on the limits of parking recreational vehicles on private property. Councilor Pruette suggested replacing the Cast a Line Newsletter one month with the survey and adding your street, with the name, address, and phone number optional to the sample survey. Chief Brandt offered the use of the auto dialer for notifying citizens of the survey. A citizen suggested the city provide RV parking for the residents that already owned one. Councilor Crout asked for advice from the City Attorney on enacting an ordinance that would change the use of property after it had purchased. City Attorney White advised that it could be done and was done all over the country.

Consensus: **TO WORK ON A WIDER DISTRIBUTION OF THE SURVEY ON LIMITING RECREATIONAL VEHICLE PARKING.**

Town Center
Maintenance
Agreement

MAINTENANCE AGREEMENT CONTRACT – TOWN CENTER: City Manger Linn stated a tri-party maintenance agreement between Atlantic Beach, the City of Jacksonville, and Neptune Beach had been approved to maintain the Town Center improvements. Mr. Linn added that as our share of the invoices was received they would come to council for approval to be paid for out of the contingency fund. Mr. Linn also stated the agreement did not include the trimming of the palm trees.

Recess/Reconvene

Mayor Brown called for a recess at 8:55 p.m. and reconvened the meeting at 9:05 p.m.

Fire Engines

FIRE ENGINES: Vice Mayor Shimp suggested that the city surplus the old fire truck.

Consensus: **TO FORWARD THE SURPLUS OF THE FIRE TRUCK TO THE FEBRUARY REGULAR MEETING.**

Hopkins Creek

HOPKINS CREEK RESIDENTS PETITION FOR CITY ABANDONMENT OF LAND: Discussion ensued about a petition to abandon the Hopkins Creek property and deed it to the adjacent homeowners.

Consensus: **TO PREPARE AN ORDINANCE FOR ABANDONING THE HOPKINS CREEK PROPERTY FOR FIRST READ AT THE FEBRUARY REGULAR MEETING.**

Greenscape
Partnership

REQUEST FOR SPONSORSHIP OF GREENSCAPE PARTNERSHIP – 2ND ANNUAL BEACHES TREE SALE: Mayor Brown stated that he had received a letter from Greenscape requesting to sponsor the 2nd Annual Beaches Tree Sale and asked for consideration of a \$500 donation. Discussion ensued and the sponsorship was not favored.

Building Permits

BUILDING PERMITS – PLAN REVIEWS: Council discussed the timing required for plan reviews and permitting. City Manger Linn stated that plan reviews and inspections had been budgeted to be contracted out when there was a backlog in the building department.

Seaside Division

SEASIDE – SEPARATE DISTRICT FOR AREA EAST OF THIRD STREET: Mayor Brown suggested the idea of naming the east side of Third Street “Seaside” because of the significant differences in property sizes. Council discussed the possibility.

Recording System

REQUEST TO REPLACE THE COUNCIL MEETING RECORDING SYSTEM: City Clerk Lisa Volpe stated that the recording system used to record council meetings was purchased in 1984 and could no longer be fixed due to no parts being manufactured. Ms. Volpe asked the council to approve the purchase of new recording system in the amount of \$2,845.

Consensus: **TO FORWARD THE PURCHASE OF THE NEW RECORDING SYSTEM TO THE FEBRUARY REGULAR MEETING.**

Public Comments

PUBLIC COMMENTS ON AGENDA ITEMS ONLY

Former Councilor and Vice Mayor Tom Tankersley, 1038 Kings Road, commented that the media had reported that the water rates in Neptune Beach had increased 45% and clarified that there had been two 10% increases and there would be another 25% increase. Mr. Tankersley felt it would be nice if Media One/AT&T Broadband had a landscape company to clean up after them. He stated if the Planning & Development Review Board had approved the shopping center parking lots for car parking than the tractor trailer trucks were in violation of the code. Mr. Tankersley added that because Neptune Beach was a smaller city we should only be asked to sponsor a prorated share of events such as Greenscape.

Adjournment

There being no further business, the meeting adjourned at 9:48 p.m.

Dick Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____