



MINUTES
REGULAR CITY COUNCIL MEETING
MARCH 5, 2001 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 March 5, 2001, at 7:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance

IN ATTENDANCE:

Mayor Richard A. Brown	City Clerk Lisa Volpe, CMC
Vice Mayor Robert Shimp	Deputy City Clerk Karla Strait
Councilor Harriet Pruette	Assistant to the City Manager Terry Klein
Councilor Ronald Patronik	Finance Director Steve Ramsey
Councilor Buddy Crout	Building Official Dan Arlington
City Attorney Christopher White	Assistant to the Building Official Piper Turner
City Manager Richard A. Linn	

Order Call/Pledge

Vice Mayor Shimp called the meeting to order at 7:00 p.m. and asked Councilor Crout to led the Pledge of Allegiance. Vice Mayor Shimp presided over the meeting because Mayor Brown had a severe soar throat.

Agenda Changes

Vice Mayor Shimp requested that Change Order #1 from Harcon be placed on the consent agenda.

Consensus: **TO PLACE CHANGE ORDER #1 FROM HARCON ON THE CONSENT AGENDA.**

City Manger Linn asked to add the Jarboe Park Design Improvements to the agenda under City Manager Reports.

Consensus: **TO ADD THE JARBOE PARK IMPROVEMENT DESIGN TO THE AGENDA UNDER CITY MANAGER REPORTS.**

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS

U.S.S. Roosevelt

City Manager Linn presented a plank from the USS Roosevelt to the City Council for support for the christening of the Roosevelt USS DDG80 on January 23, 1999 commissioned October 14, 2000.

APPROVAL OF MINUTES

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

FEBRUARY 5, 2001, REGULAR CITY COUNCIL MEETING

Moved by Pruette, seconded by Crout.

Roll Call Vote:

Ayes: 5 – Crout, Patronik, Pruette, Shimp, Brown

Noes: 0

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

- Water Bills Councilor Pruette thanked Finance Director Steve Ramsey for taking care of a number of water bill disputes.
- Town Center Lighting Councilor Pruette stated the lighting at Town Center issue had already been solved by a letter of explanation from City Manager Linn that there would be lighting installed on top of the new street posts.
- Donations & Contributions Councilor Pruette asked City Attorney White for a legal opinion on donations and contributions outside of Neptune Beach.
- Trash on Florida Boulevard Councilor Patronik stated that he had a number of citizens contact him about trash on Florida Boulevard but it should be taken care of by the new contract with BFI.
- Legislative Action Day City Clerk Lisa Volpe advised council members to contact the Clerk’s office if they were interested in attending Legislative Action Day.

CITY MANAGER REPORTS

- 1992 Bond Issue City Manager Linn stated he had received several proposals ranging from \$400,000 to \$700,000 from different bonding companies and agencies on the 1994 bond valued at 3,500,000. Mr. Linn advised that he would like to refinance that bond and receive proposals.
- Fact Finding Trip City Manager Linn reported that a manufacture of the sewer vacuum system had offered to reimburse the city for expenses to go Europe due to lack of experience in the united States. The trip is to examine the vacuum system technology that has been in place for 20 to 30 years. Mr. Linn added that Vice Mayor Shimp, Councilor Patronik, Jim Miller with PBS&J and himself would be going.
- For the Record Councilor Pruette stated that she would not be going and commented that she did not believe the elected officials should go. She felt it should be up to City Manger Mr. Linn, Public Works Director John Galen, and other city employees that would be doing the work.
- Jarboe Park City Manager Linn introduced Brett Goddard, landscape design architect. Mr. Goddard explained his plan and that he needed council approval to begin the bid process.

Consensus: **TO MOVE TO THE APRIL REGULAR MEETING CONSENT AGENDA**

COMMENTS FROM THE PUBLIC

- Public Comments Sheri Nicholson, 222 Oleander, asked council to reconsider sponsoring the Beaches Park Project for Kids.

CONSENT AGENDA

- Surplus **SURPLUS OF VEHICLES**

- City Manager Vehicle PURCHASE OF SEDAN USING CONTINGENCY LINE ITEM
- Air Show APPROVAL OF AIR SHOW INTERLOCAL AGREEMENT
- Air Show APPROVAL OF AIRSHOW CONSULTANT CONTRACT
- Solid Waste APPROVAL OF SOLID WASTE CONTRACT
- Change Order APPROVAL OF CHANGE ORDER # 1 FROM HARCON ENTERPRISES

For the Record Councilor Pruette asked Mr. Linn to confirm on the record that regular trash and yard trash would be picked up on Mondays. Mr. Linn confirmed that was correct.

Moved by Crout, seconded by Patronik.

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

Roll Call Vote:

Ayes: 5 Crout, Patronik, Pruette, Shimp, Brown
 Noes: 0

MOTION CARRIED

VARIANCES/NONE

ORDINANCES

Ordinance No. 2001-02 ORDINANCE NO. 2001-02, OPEN AIR MARKET HOURS OF OPERATION, FIRST READ: City Manager Linn reported that Chairman of the Planning & Development Review Board has requested that this ordinance be withdrawn.

Ordinance No. 2001-01 ORDINANCE NO. 2001-01, REGULATING CROSS-CONNECTIONS, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 23 UTILITIES, OF THE CODE OF ORDINANCES, CITY OF NEPTUNE BEACH, FLORIDA BY ADDING A NEW SECTION 23-32 ENTITLED "DEFINING AND REGULATING CROSS-CONNECTIONS AND BACKFLOW PREVENTION DEVICES AND PROVIDING CORRECTIONS THEREOF" AND PROVIDING AN EFFECTIVE DATE.

Moved by Patronik, seconded by Crout.

Motion: **TO APPROVE ORDINANCE 2001-01**

Roll Call Vote:

Ayes: 5 – Crout, Patronik, Pruette, Shimp, Brown
 Noes: 0

MOTION CARRIED

Ordinance No. 2001-02 ORDINANCE NO. 2001-02 CLOSING RIGHT-OF-WAY – PENMAN TERRACE, AKA HOPKINS CREEK, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA CLOSING, VACATING AND ABANDONING CERTAIN RIGHTS-OF-WAY IN NEPTUNE BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.

Due to the withdrawal of Ordinance 2001-02 Vice Mayor Shimp asked to change this Ordinance from 2001-03 to 2001-02.

Moved by Patronik, seconded by Crout.

Motion: **TO APPROVE ORDINANCE 2001-02**

Roll Call Vote:

Ayes: 5 – Crout, Patronik, Pruette, Shimp, Brown

Noes: 0

MOTION CARRIED

OLD BUSINESS

There was controversy over the Harcon Change Order being placed on the Consent Agenda.

For the Record Councilor Pruette stated for the record that she was against payment of the change order.

For the Record Councilor Crout stated for the record that the information he requested from Harcon was not furnished in order for him to make an intelligent decision.

Legal Advise City Attorney White advised to remove the Harcon Change Order from the consent agenda and place it back under old business and vote on it.

Consensus **TO REMOVE THE HARCON CHANGE ORDER #1 FROM THE CONSENT AGENDA AND CALL FOR A VOTE SEPARATELY.**

Harcon Enterprises Change Order CHANGE ORDER #1, HARCON ENTERPRISES, INC. FOR \$99,003.11: City Manager Linn stated he had spoken with PBS&J Engineer Jim Miller, Public Safety Director John Galen and consulted with City Attorney Chris White about the change order and he felt that it was justified. Mr. Linn recommended payment of change order #1 to Harcon Enterprises for \$99,003.11.

Moved by Shimp, seconded by Brown.

Motion: **TO APPROVE THE CHANGE ORDER FROM HARCON.**

Councilor Crout made a motion to amend the change order and pay \$12,267.50 that they billed for the electrical conduit that was not seconded.

Roll Call Vote:

Ayes: 3 - Patronik, Shimp, Brown

Noes: 2 - Crout, Pruette

MOTION CARRIED

NEW BUSINESS

Development Order DEVELOPMENT ORDER, TWO-STORY BUILDING ON LOTS 8, 30 THRU 39 AND 41, BLOCK 1 FLORIDA BEACH PRADO FERRER: City Manger Linn called on Mr. or Mrs. Craig Anderson to present the project to the council for consideration. Hilton Meadows, representative for the Anderson’s presented the project to the council. Councilor Crout called a point of order and asked if the city should consider abandoning the property that would be required in order for the project to be built before approval of the development order.

Legal Advise City Attorney White advised that it was premature to vote on the development order until

an ordinance was approved to abandon the property.

Adjournment

There being no further business, the meeting adjourned at 8:15 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____