



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**APRIL 16, 2001 AT 7:00 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 April 16, 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 D. Shimp	Deputy City Clerk Karla Strait
Councilor Ronald Patronik	Assistant to the City Manager Terry Klein
Councilor Harriet Pruette	Building Official Dan Arlington
Councilor J. W. "Buddy" Crout	Utility Billing Supervisor Rosemary Phillips
City Attorney Christopher White	Service Division Supervisor Joan Herman
City Manager Richard A. Linn	

Call to Order/Roll Call	The Mayor called the meeting to order at 7:00 p.m.
Agenda Change	Councilor Pruette requested amending the agenda to include a discussion about oceanfront accesses.
Beach Crossovers	Vice Mayor Shimp asked City Manager Linn to inquire about applying for a grant for beach crossovers.

**COMMITTEE REPORTS**

IBBC	<u>ISH BRANT BEAUTIFICATION COMMITTEE:</u> City Manager Linn reported the "Yard of the Month" had been selected and presented. He had received approval from the City of Jacksonville for the beautification of the Third Street medians and the purchase order was written and approved for \$40,000. He was working on the bid specifications and would bring it back to council for approval to bids.
Bike Path	<u>BIKE PATH ALONG FLORIDA BOULEVARD:</u> Mr. Linn reported that Sally Rosier with the Florida Department of Transportation was expecting the drawings from the engineers within two weeks.
Sunday in the Park	<u>SUNDAY IN THE PARK 2001:</u> City Manager Linn reported that "Sunday in the Park" would be held on April 22, 2001, and council members were expected to grill hotdogs and hamburgers. Mayor Brown added that Oceanside Bank had agreed to sponsor the event and donate \$150.00 for supplies.

### CITY MANAGERS PUNCH LIST

- Jarboe Park Improvement      JARBOE PARK IMPROVEMENT: City Manager Linn stated city employees had started removing the old roofs from the picnic shelters in anticipation of the new roofs. Mr. Linn added that Brett Goddard would have the bid packages ready very soon.
- Roadway Between Shopping Centers      ROADWAY BETWEEN SHOPPING CENTERS: City Manager Linn stated there was nothing new to report on the roadway between the shopping centers.
- Underground Containers      UNDERGROUND GARBAGE CONTAINERS: City Manager Linn stated he had a meeting scheduled with Walt Ritter of BFI this past week to discuss the underground containers, however Mr. Ritter had a family emergency and the meeting was canceled.
- Naval Air Show      NAVAL AIR SHOW: City Manager Linn stated that Mayor Brown had written a letter in support of the Naval Air Show.
- AT&T/Broadband      AT&T/BROADBAND CLEAN UP OF CABLES: City Manager Linn stated there was nothing new to report on the loose cables.
- Service Division Supervisor Joan Herman informed that she was being charged for Broadband services and was not receiving them.
- Councilor Pruette asked if the money was refundable and suggested publishing a phone number with a contact person in the city newsletter for people to call that were being charged for the service and not receiving it.

### PROPOSED ORDINANCES

- Ordinance No. 2001-05      ORDINANCE NO. 2001-05, GARBAGE COLLECTION FEES: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, DELETING SECTION 11-96 AND 11-106 OF CHAPTER 11, GARBAGE, TRASH AND INDUSTRIAL WASTE AND PROVIDING AN EFFECTIVE DATE.
- City Manager Linn explained that this ordinance would change the method used to establish garbage collection fees from an ordinance to a resolution.
- Vice Mayor Shimp stated that the newspaper had misinterpreted the garbage collection fees. Mr. Shimp asked city staff to have the newspaper publish that they made a mistake and correct it.
- Vice Mayor Shimp agreed to sponsor Ordinance No. 2001-05.

Consensus:      **FORWARD TO THE MAY REGULAR CITY COUNCIL MEETING FOR FIRST READ.**

### CONTRACT/AGREEMENTS/NONE

### ISSUE DEVELOPMENT

- Phone System Request      QUOTES FOR INSTALLATION OF NEW PHONE SYSTEM FOR CITY HALL: City Manager Linn stated the current phone system was inadequate after hours because City Hall forwarded the calls to the police department and the police department was required to handle all incoming calls. Mr. Linn called on Utility Billing Supervisor Rosemary Phillips to present the quotes that she had received for a new system. Rosemary Phillips explained that the current phone system was out dated, new lines could not be added

and computer modems and a fax machine were piggybacking off main lines. Ms. Phillips added that the new system could be answered automatically after hours and go directly to the person the caller is trying to contact by dialing their extension. The automated system would save time at the front desk and also allow an option to talk to a live person. The new system would also allow transfer of calls directly to the city yard and police department.

Discussion ensued about customer service. Vice Mayor Shimp was concerned about the personal relationship with the citizens.

Scott Preister with Nortel Networks explained that the automatic attendant could be customized to go directly to the person the caller is calling and if that person was not available they would have the option to leave a voice mail, go back to the operator, or to talk to a live person. Mr. Preister added that the new system would take care of all communication needs for the next ten years.

City Manager Linn recommended using money from the contingency for the remainder of this year and put it in next years budget. Scott Preister added that there was no required down payment and no payments for 3 months.

Consensus: **FORWARD TO THE MAY REGULAR CITY COUNCIL MEETING CONSENT AGENDA.**

Resolution 2001-08 **RESOLUTION NO. 2001-08, SOLID WASTE FEES:** A RESOLUTION ESTABLISHING CERTAIN CHARGES OR FEES FOR SOLID WASTE COLLECTION SERVICES.

Consensus: **FORWARD TO THE MAY REGULAR CITY COUNCIL MEETING FOR FIRST READ.**

Community Center **ATLANTIC BEACH COMMUNITY CENTER:** Mayor Brown stated that we had been asked to consider supporting the study of the need for a community center in a partnership with Atlantic Beach for the amount of \$2000. Mayor Brown suggested participating if the vacant A&P store could be considered as a potential site. Vice Mayor Shimp questioned spending city funds outside of the city.

City Attorney Chris White advised that was no issue with spending public funds outside of the city and that it was okay.

Consensus: **FORWARD TO THE MAY REGULAR CITY COUNCIL MEETING.**

Oceanfront Accesses **PRESERVATION OF OCEANFRONT ACCESSES:** Councilor Pruette referenced a letter from City Manager Linn addressed to Mr. Gregory Scott indicating that his lot located at Midway and Cedar was not considered a corner lot. Councilor Pruette brought about the question of preserving the ocean front accesses for the future.

City Manager Linn explained that Mr. Scott had addressed a letter to him requesting interpretation of the code. Mr. Linn responded that the definition of a corner lot was property that abutted two streets. Mr. Linn added if the street ends were considered corner lots, property owners abutting the street could request pavement and have driveways going out into the street ends.

City Attorney White stated that there were two issues; 1) protection of the beach accesses and 2) whether these lots are considered corner lots. Mr. White stated it would be extremely difficult to hold up in court that these were corner lots because there was no street there. Mr. White explained that if you started calling these corner lots the property owners could privately pave them. Mr. White also explained that according to the code

permanent encroachments are not permitted on any right-of-way and the street ends were right-of-ways whether or not they were considered a street. Mr. White added that the charter provision says that you cannot vacate, close or do anything to any beach access without a referendum.

Discussion ensued creating an ordinance designating the street end property and addressing the use of the lots.

City Attorney White stated that each beach access right-of-way would need to be looked at for encroachments in the right-of-ways and citizens may be required to remove the encroachments if there were no legal obstacles. Mr. White added it is extremely hard for a property owner to acquire title to a public right-of-way by prescription.

On the Record Councilor Pruette stated for the record she was not trying to go back and change what the city has done through the years, she just wanted to protect the accesses that we had today.

Public Comments

**PUBLIC COMMENTS ON AGENDA ITEMS ONLY**

Lynda Padrta, 1113 First Street, favored an open telephone system that could grow with new technology. Ms. Padrta felt that each street end should be evaluated to determine what was legal and what was not.

Adjournment

There being no further business, the meeting adjourned at 8:40 p.m.

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Richard A. Brown, Mayor

Attest:

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Lisa Volpe, CMC, City Clerk

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