



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**MAY 7, 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 May 7, 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 Manager Richard A. Linn
Vice Mayor Robert D. Shimp	City Clerk Lisa Volpe, CMC
Councilor Harriet Pruette	Deputy City Clerk Karla Strait
Councilor Ronald D. Patronik	Assistant to the City Manager Terry Klein
Councilor J.W. "Buddy" Crout	Finance Director Steve Ramsey
City Attorney Christopher A. White	Building Official Dan Arlington
	Assistant to the Building Official Piper Turner

Order Call/Pledge

Mayor Brown called the meeting to order and asked Vice Mayor Shimp to lead the Pledge of Allegiance.

**AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS**

Mayor Brown presented City Clerk Lisa Volpe with a letter of congratulations from the Council for obtaining her Masters Degree in Public Administration.

Kara Tucker, member of the Ish Brant Beautification Committee, presented Mayor Brown with a plaque from Tree City U.S.A., dedicating Neptune Beach as an official Tree City.

**APPROVAL OF MINUTES**

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

**APRIL 2, 2001, REGULAR COUNCIL MEETING**  
**APRIL 10, 2001, WORKSHOP COUNCIL MEETING**  
**APRIL 16, 2001, WORKSHOP COUNCIL MEETING**

Moved by Patronik, seconded by Pruette.

Roll Call Vote:

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

MOTION CARRIED**COMMUNICATIONS AND CORRESPONDENCE**

- Neptune Beach Elementary NEW LIGHT POLES AT NEPTUNE BEACH ELEMENTARY SCHOOL: Councilor Patronik questioned City Manager Linn regarding the timing of the field lights at Neptune Beach Elementary School. City Manager Linn replied that the lights were only lit when the field was in use and were not allowed to be lit after 9:00 p.m.
- DCA Grant DEPARTMENT OF COMMUNITY AFFAIRS GRANT SURVEY: Councilor Patronik inquired about a survey from the Auditor General. City Manager Linn answered that it was a survey for grant recipients of an annual grant for the Public Safety Department.
- City Manager Goals CITY MANAGER PERFORMANCE EVALUATION: In order to help determine salary increases for the upcoming budget year, Councilor Crout asked City Manager Linn to report his goals for the next fiscal year to the Council at the May 21, 2001 workshop meeting.
- Redistricting CITY OF JACKSONVILLE REDISTRICTING: Vice Mayor Shimp felt that the beaches should remain together in the same district.
- For the Record Vice Mayor Shimp stated on the record that if the Jacksonville City Council divided the beaches district the citizens of the beaches should consider forming Ocean County.
- Mayor Brown stated that he had invited Jerry Holland to attend tonight's meeting to explain Jacksonville's plans for redistricting.
- Councilor Crout suggested expanding Ocean County to include Ponte Vedra Beach.
- Councilor Pruette attended a redistricting meeting in Jacksonville and stated she was surprised at the animosity she felt toward the beaches from the Jacksonville City Council.
- Sunday in the Park SUNDAY IN THE PARK: Councilor Pruette awarded Councilor Crout with a hamburger magnet thanking him for succeeding in his efforts to serve hamburgers as well as hotdogs at Sunday in the Park.
- Police Memorial FRATERNAL ORDER OF POLICE MEMORIAL SERVICE: Mayor Brown announced that the public was invited to attend the Fraternal Order of Police Memorial Ceremony, Monday, May 14, 2001.
- Dancin' in the Street DANCIN' IN THE STREET: Mayor Brown stated he had received a request from the "Dancin' in the Street" committee to sit in the dunking tank.
- Thanks City Clerk Lisa Volpe thanked the Council for the letter of congratulations.
- NEFLOC Meeting City Manager Linn announced the Northeast Florida League of Cities was meeting Thursday May 10, 2001 and anyone who would like to attend should contact his assistant.
- Agenda Change City Manager Linn requested that the agenda be amended to include item 12-A FOP Water Bill and item 8-A new phone system for City Hall.

**CITY MANAGER REPORTS**

- Life Guard Salaries 2001 LIFEGUARD SALARIES: After researching what nearby municipalities were paying their lifeguards City Manager Linn recommended increasing our lifeguard salaries to \$8.75 per hour in order to provide adequate compensations and keep good lifeguards.
- Redistricting REDISTRICTING OF JACKSONVILLE CITY COUNCIL: Mayor Brown asked Jacksonville Councilman Jerry Holland, to give an overview on the redistricting of Jacksonville.

Councilman Jerry Holland stated that Jacksonville was considering seven redistricting plans. They had not decided if they were going to use voting age population or total population in determining the new districts. Councilman Holland announced that a Town Hall Meeting would be held at Fletcher High School Tuesday, May 15, 2001 at 7:00 p.m. and consultants would be on hand to answer questions. Mr. Holland explained that the redistricting was an ongoing process and the plan that would separate the beaches was just one of seven plans. Mr. Holland added that he would do his best to keep the beaches together in the same district if that was what the beaches wanted.

Council voiced their concerns about redistricting and the possibility of splitting the beaches to Councilman Holland.

Theo Mitchelson, Atlantic Beach Commissioner, was concerned that the beaches would eventually have no voice at all in Jacksonville if the representation was separated. Mr. Mitchelson urged the beaches to stand together, be vocal, demand to remain together as a district, and be heard by one voice.

### COMMENTS FROM THE PUBLIC

#### Public Comments

Hal Mankin, 2037 Sandpiper Point, hoped Resolution No. 2001-07 would help resolve the noise issue with Hurricane Hatties. He thanked all council members including City of Jacksonville Councilman Holland for their support.

Leslie Karlin, 1506 Spindrift Circle, supported the idea of the beaches becoming Ocean County if the redistricting of Jacksonville separated the three beaches.

Hank Baltar, Planning & Development Review Board Member, 2029 Sandpiper Point, urged Council to support Resolution No. 2001-07 to help resolve the noise issue with Hurricane Hatties.

Tom Tankersley, former Vice Mayor and Council Member, 1038 Kings Road, suggested placing a decibel meter outside of Hurricane Hatties that would light up when they exceeded the noise level. Mr. Tankersley also supported the idea of Ocean County.

Jerry Holland, Jacksonville City Council Member, 117 West Duval Street, stated that Hurricane Hatties had been fined \$10,000 for previous noise violations and one more complaint may put them out of business. Councilman Holland added that he appreciated the Noise Resolution and felt he could work with it.

Jim Stienkraus, Board of Appeals Member, 208 Bay Street, supported protecting beach accesses and was concerned about new construction increasing property taxes.

### CONSENT AGENDA

#### Community Center

APPROVAL OF USE OF CONTINGENCY LINE ITEM \$2,000 FOR PARTICIPATION IN STUDY OF COMMUNITY CENTER: Approval of \$2,000 expenditure to help Atlantic Beach conduct a needs assessment study to determine the feasibility of a full service Community Center.

#### Phone System

NEW PHONE SYSTEM FOR CITY HALL: Approval for a new phone system for City Hall as agreed with a 5.25% interest rate.

Moved by Crout, seconded by Shimp.

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.  
2001-03

ORDINANCE NO. 2001-03, FLOODPLAIN MANAGEMENT, FINAL READ AND PUBLIC HEARING: AN ORDINANCE OF THE CODE OF CITY OF NEPTUNE BEACH, FLORIDA, AMENDING CHAPTER 27, ARTICLE VIII, DIVISION 2, FLOODPLAINS; ADDING NEW SECTIONS 27-407(D) AND (E), 27-416 AND 27-417 AND AMENDING SECTION 27-406 TO INCLUDE ADDITIONAL DEFINITIONS AND REPLACE AN EXISTING DEFINITION.

Mayor Brown read Ordinance No. 2001-03 by title only and opened the public hearing.

There being no comments from the public, the public hearing was closed.

Moved by Shimp, seconded by Patronik.

Motion: **TO ADOPT ORDINANCE NO. 2001-03 AS STATED.**

Moved by Crout, seconded by Pruette.

Friendly Amendment: **TO AMEND SECTION 27-416, SECTION 3 OF THE ORDINANCE TO READ: AFTER "ALL OTHER REQUIRED BEARING POINTS" - "IN ALL FLOOD PRONE AREAS."**

Roll Call Vote:

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

MOTION CARRIED

Motion: **TO ADOPT ORDINANCE NO. 2001-03 AS AMENDED.**

Roll Call Vote:

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

MOTION CARRIED

Ordinance No.  
2001-04

ORDINANCE NO. 2001-04, GARBAGE FRANCHISE FEE, FINAL READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, ADDING SECTION 11-67 OF CHAPTER 11, GARBAGE, TRASH AND INDUSTRIAL WASTE TO PROVIDE FOR THE COLLECTION OF FRANCHISE FEES FROM GARBAGE COLLECTION CONTRACTORS AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown read Ordinance No. 2001-04 by title only and opened the public hearing.

There being no comments from the public, the public hearing was closed.

Moved by Shimp, seconded by Patronik.

Motion: **TO ADOPT ORDINANCE NO. 2001-04.**

Roll Call Vote:

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

MOTION CARRIED

Ordinance No.  
2001-05

ORDINANCE NO. 2001-05, GARBAGE COLLECTION FEES, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, DELETING SECTION 11-27 AND AMENDING SECTION 11-82 AND 11-96 AND 11-106 OF CHAPTER 11, GARBAGE, TRASH AND INDUSTRIAL WASTE AND PROVIDING AN EFFECTIVE DATE.

Moved by Crout, seconded by Pruette.

Motion: **TO PASS ORDINANCE NO. 2001-05.**

Roll Call Vote:

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

MOTION CARRIED

**OLD BUSINESS/NONE**

**NEW BUSINESS**

Resolution No.  
2001-07

RESOLUTION NO. 2001-07: A RESOLUTION CALLING FOR A REVIEW AND UPDATE OF NOISE VIOLATION REGULATIONS BY THE CITY OF JACKSONVILLE.

Moved by Crout, seconded by Pruette.

Motion: **TO APPROVE RESOLUTION NO. 2001-07.**

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

MOTION CARRIED

Resolution No.  
2001-08

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

City Manager Linn recommended that Resolution No. 2001-08 be tabled until Ordinance No. 2001-05 was adopted.

Consensus: **TABLE RESOLUTION NO. 2001-08 UNTIL ORDINANCE NO. 2001-05 HAS BEEN ADOPTED.**

Resolution No.  
2001-09

RESOLUTION NO. 2001-09: A RESOLUTON OF SUPPORT FOR MAINTAINING SINGLE BEACHES DISTRICT.

Moved by Crout, seconded by Shimp.

Motion: **TO APPROVE RESOLUTION NO. 2001-09.**

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

MOTION CARRIED

Beach Accesses PROTECTION OF BEACH ACCESSES: City Attorney White requested a discussion of "protection of the beach accesses" at the May 21, 2001, workshop meeting to guide him in drafting the ordinance.

1992 Bond Issue REFINANCE OF 1992 BOND ISSUE: City Attorney White advised that the Director of Finance Steve Ramsey, City Manager Linn and himself had received proposals for refinancing the 1992 Bond Issue that originated in 1988. Mr. White asked for authorization from the Council to use the investment banking services of Gardner, Michael, Capital, Inc. Mr. White added that the savings would amount to \$458,000 over the remaining 17 years.

Consensus: **TO AUTHORIZE THE USE OF GARDNER, MICHAEL, CAPITAL, INC. FOR THE REFINANCE OF THE 1992 BOND ISSUE.**

Dancin' in the Street REQUEST FROM THE DANCIN' IN THE STREET COMMITTEE FOR WAIVER OF ALCOHOL LAW AND CLOSING OF FIRST STREET ON MAY 19, 2001. City Manager Linn stated that it was customary for Council to pass a motion to wave the alcohol law and close First Street to Lemon Street for the annual "Dancin' in the Streets" event.

For the Record Vice Mayor Shimp stated on the record that people had complained in the past about drunkenness at Dancin' in the Streets and he would not support the event next year if it continued.

Moved by Shimp, seconded by Pruette.

Motion: **TO WAVE THE ALCOHOL LAW AND CLOSE FIRST STREET MAY 19, 2001.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

FOP Lodge FRATERNAL ORDER OF POLICE LODGE WATER BILL: City Manager Linn stated he had received a memo from Mayor Brown inquiring about the water rates for the Fraternal Order of Police Lodge. Mayor Brown stated that the original lease agreement had called for a charge of \$25 a month for water and garbage pick up and had since been amended. Mayor Brown asked if an adjustment should be considered.

Consensus: **MOVE THE FRATERNAL ORDER OF POLICE LODGE WATER RATE ISSUE TO THE MAY 21, 2001 WORKSHOP MEETING.**

Bond Counsel BOND COUNSEL: City Attorney White requested Council authorization to secure the services of Dan Livermore for bond counsel.

Consensus: **TO AUTHORIZE CITY ATTORNEY WHITE TO SECURE THE SERVICES OF DAN LIVERMOORE FOR BOND COUNSEL.**

Germany Trip

REPORT ON GERMANY TRIP: Mayor Brown asked City Manager Linn and Vice Mayor Shimp to comment on their recent trip to Germany to examine the vacuum sewer system technology. City Manager Linn commented the trip was successful and he was amazed at the simplicity of the vacuum system. Mr. Linn added he was going to ask the manufacturer of the equipment to do a workshop for the Council and Jim Miller would be preparing a report with the numbers. Vice Mayor Shimp stated the trip was worthwhile, they took a lot of pictures and he was very impressed with the system.

Adjournment

There being no further business, the meeting adjourned at 9:00 p.m.

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Richard A. Brown, Mayor

ATTEST:

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Lisa Volpe, CMC, City Clerk

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