



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**JUNE 18, 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 June 18, 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  
Councilor Ronald A. Patronik  
Councilor Harriet Pruette  
Councilor J. W. "Buddy" Crout  
City Manager Richard A. Linn  
City Clerk Lisa Volpe, CMC

Finance Director Steve Ramsey  
Deputy City Clerk Karla Strait  
Assistant to the City Manager Terry Klein  
Building Official Dan Arlington

ABSENT:

Vice Mayor Robert A. Shimp  
City Attorney Christopher White

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 thanked the Ish Brant Beautification Committee for the Tree City flag raising ceremony that took place before the council meeting. Mr. Linn reported that the committee was awaiting approval on the irrigation system for the Third Street medians. The committee had selected a yard of the month and received the 60% drawings for the Bike Path.

**CITY MANAGERS PUNCH LIST**

Jarboe Park  
Improvements

**JARBOE PARK IMPROVEMENTS:** City Manager Linn stated that the Jarboe Park Improvements were on the agenda for approval of the contract awards.

Bike Path – Penman  
Road

**BIKE PATH – FLORIDA BOULEVARD:** City Manager Linn reported that 60% of the bike path design for Florida Boulevard had been received.

Handicap Walkway

**HANDICAP WALKWAY TO BEACH AT TOWN CENTER:** City Manager Linn reported that he was awaiting proposals for the handicap walkway and hoped to have it completed by the end of July.

Dune Crossovers

**BEACH DUNE CROSSOVERS:** City Manager Linn reported that his assistant Terry Klein was working on a state matching grant application in the amount of \$150,000 for the dune crossovers. There were no requirements for the grant other than providing beach

access to the public.

- Michael Rowe PUBLIC WORKS EMPLOYEE – MICHAEL ROWE: City Manager Linn informed the council that Public Works employee Michael Rowe was undergoing treatment for cancer and had exhausted his sick leave. Fellow employees have donated personal leave to ensure that Michael would receive a paycheck while undergoing treatment and have donated a total of two months worth of leave.
- Roadway between Shopping Centers ROADWAY BETWEEN SHOPPING CENTERS: City Manager Linn reported there was nothing new on the roadway between the shopping centers.
- Florida League of Cities Conference FLORIDA LEAGUE OF CITIES ANNUAL CONFERENCE: City Clerk Lisa Volpe reminded council members to contact her if they wanted to attend the conference in August so there would be time to make reservations.

### PROPOSED ORDINANCES

- Detached Garages PROPOSED ORDINANCE TO DEFINE AND CONTROL DETACHED GARAGES: AN ORDINANCE AMENDING SECTION 27-324, DEFINITIONS; AMENDING SECTIONS 27-328(3) AND 27-328(4), ACCESSORY BUILDINGS AND ADDING SECTION 27-238(A)(5), 27-328(A)(6), AND 27(A)(7).

The council discussed the proposed ordinance and the differences of lot sizes on each side of Third Street.

John Weldon, Jr., Chairman of the Planning & Development Review Board, 108 Oak Street, was not opposed to increasing the size of detached garages west of Third Street. Mr. Weldon stated that the Planning & Development Review Board currently had an application for a two-car garage west of Third Street with a playroom & bathroom attached to it. Mr. Weldon added it would essentially be a garage apartment in an area zoned single family. Mr. Weldon felt restrictions were needed on the sizes of garages in each district and suggested having maximum garage sizes tied to the existing districts.

David Baker, 1102 First Street, suggested that there be a moratorium on out buildings and garages until an ordinance was in place.

- On the Record Councilor Pruette stated on the record that she wanted Vice Mayor Shimp to know that she felt this ordinance needed to be in place as soon as possible and if he wanted to bring forward an ordinance concerning garage apartments the council would handle it separately.

Consensus: **FORWARD TO THE JULY REGULAR COUNCIL MEETING AND ADOPT AS AN EMERGENCY ORDINANCE IF CITY ATTORNEY CHRIS WHITE APPROVES AND ADD AN AMENDMENT TO INCREASE THE SIZE IN CERTAIN DISTRICTS.**

- Amend Section 27-13 RESPONSIBILITY OF INTERPRETATION OF CODE: AN ORDINANCE AMENDING SECTION 127-13, RESPONSIBILITY FOR INTERPRETATION OF THE CODE OF ORDINANCES.

Councilor Crout wanted the following sentence added to Section 127-13: This section shall not be interpreted in any way to restrict the title of the City Manager set forth in Section 2-85(B) and in the event of conflicting interpretation the interpretation of the City Manager shall prevail.

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

Corner Lots

**ORDINANCE TO AMEND THE DEFINITION OF A CORNER LOT: AN ORDINANCE TO AMEND SECTION 27-216, CORNER LOT DEFINITION.**

Councilor Pruette asked to defer the proposed ordinance defining corner lots for further fact-finding.

Dr. Raul Moreno, 93 Orange Street, wanted to know what the ordinance would do. Several other members of the audience concurred.

Councilor Pruette explained the reason she felt the ordinance was necessary because if the lots on the beach accesses were considered corner lots the property owner could pave the beach access claiming it was a street and would have a 15-foot side building restriction line. If they were not considered corner lots the lots would have a 7-foot side building restriction line and the ocean view would be restricted.

Dr. Raul Moreno, 93 Orange Street, didn't think anything needed to be changed because the Building Department could deny the application if the building encroached in the beach access.

An unidentified man asked how big the beach accesses were. City Manager Linn responded that they varied from 50 to 57 feet and they were called street right-of-ways on the city plot.

Lynda Padrta, 1113 First Street, stated that the 15 foot wide beach access provided the view for a lot of people who paid a premium for their property and if it were changed to 7 feet it would block the view.

Judy Williams, 98 Orange Street, was concerned that if the building restriction lines were changed it would devalue her property and there would be lawsuits.

Harriet Christovich, 110 Seagate Avenue, asked for clarification. Councilor Pruette responded that was why she wanted to defer the ordinance and find out more herself.

Consensus: **TO DEFER PROPOSED ORDINANCE DEFINING CORNER LOTS AND DO FURTHER FACT FINDING.**

Beach Access  
Protection

**PROPOSED ORDINANCE TO CONTROL USES OF BEACH ACCESSSES: AN ORDINANCE TO AMEND ARTICLE I, SECTION 7, BEACHES AND WATERWAYS BY ADDING SECTIONS 7-1 THROUGH 7-4.**

Councilor Pruette proposed this ordinance because there were no definitions or restrictions on what could be done on the beach accesses.

Harriet Christovich, 100 Seagate Avenue, asked Councilor Pruette to read the ordinance.

Ms. Moreno, 93 Orange Street, thought that the city should beautify the beach accesses.

Harriet Christovich, 100 Seagate Avenue, stated that we needed to be careful about launching vessels from beach accesses, especially handicap accesses.

City Manager Linn stated that there was a general provision in the code that stated no one could encroach on a city right-of-way without a permit. Mr. Linn added that the beach accesses needed special attention and special provisions.

Councilor Pruette stated that her intent was to protect the natural beauty that we have on the beach accesses today where citizens could get to the beach.

Judy Williams, 98 Orange Street, asked if more employees would be hired to enforce the new ordinances.

Donald White, Chairman of the Board of Appeals, 1414 First Street, felt that the beach accesses were protected by the referendum and was concerned about violating the previous law.

David Baker, 1102 First Street, was concerned about enforcement.

Ed Jones, 200 First Street, stated that some of the accesses were used as driveways and that should be considered.

Tom Tankersley, 138 Kings Road, stated that the city was responsible for keeping the public accesses safe.

Consensus: **SEND BACK TO THE CITY ATTORNEY FOR ADVICE BEFORE FIRST READ.**

#### **CONTRACT/AGREEMENTS**

Jarboe Park  
Improvements

**JARBOE PARK IMPROVEMENTS – RESURFACE OF EXERCISE TRAIL:** City Manager Linn recommend approval of the low bid to Duval Asphalt for the resurfacing of the exercise trail in the amount of \$21,253.

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

Jarboe Park  
Improvements

**JARBOE PARK IMPROVEMENTS – VARIOUS PARK STRUCTURES:** City Manager Linn recommended approval of the low bid to RWBV/SWS Construction for the construction of various park structures in the amount of \$36,865.

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

#### **ISSUE DEVELOPMENT**

Tax Incentive

**TAX INCENTIVE – CONVERSION OF MULTI DWELLING TO SINGLE DWELLING IN THE R-4 DISTRICT EAST OF THIRD STREET:** Jacksonville City Councilman Jerry Holland had asked Council to pass a resolution requesting support from the City of Jacksonville to freeze property taxes for property owners east of Third Street that would convert multi family dwellings to single family dwellings.

Consensus: **PREPARE A RESOLUTION FOR THE JULY REGULAR COUNCIL MEETING.**

- City Manager Goals      GOALS OF THE CITY MANAGER FOR YEAR 2001-2002: Councilor Crout suggested waiting until the City Manager's annual review to discuss the City Manager's goals.
- Consensus:      **TO DEFER UNTIL THE CITY MANAGER'S ANNUAL REVIEW.**
- Utility Capital Improvements      SET A DATE FOR UTILITY CAPITAL IMPROVEMENTS ROUNDTABLE WORKSHOP (JULY 9, 2001): Schedule a meeting with Public Works Director John Galen, City Manager Linn and Jim Miller of PBS&J to discuss the steps of the Utility Improvement Project.
- Consensus:      **HOLD THE ROUNDTABLE WORKSHOP MEETING FOR UTILITY CAPITAL IMPROVEMENTS ON JULY 9, 2001.**
- Voting Delegate      SELECTION OF A VOTING DELEGATE FOR THE FLORIDA LEAGUE OF CITIES 75<sup>TH</sup> ANNUAL CONFERENCE: The city was asked to select one person to be the voting delegate for the Florida League of Cities Annual Conference.
- Consensus:      **TO NOMINATE MAYOR BROWN TO SERVE AS VOTING DELEGATE FOR THE FLORIDA LEAGUE OF CITIES 7<sup>TH</sup> ANNUAL CONFERENCE.**
- Third Street Medians      APPROVAL FOR BIDS ON IRRIGATION SYSTEM FOR THE THIRD STREET MEDIANS:
- Consensus:      **FORWARD TO THE JULY REGULAR COUNCIL MEETING FOR A VOTE.**
- Public Comments      **PUBLIC COMMENTS ON AGENDA ITEMS ONLY**
- David Baker, 1102 First Street, was concerned about overgrown trees and shrubbery on public sidewalks.
- Judy O'Loughlin, 408 Oceanfront, suggested that the city clean up the overgrowth on the sidewalks and send the bill to the property owners.
- Lynda Padrta, 1113 First Street, felt that a moratorium on the construction of garages should be in place until the ordinance went into effect, suggested a referendum to define beach accesses and corner lots and was also concerned about bushes growing over the sidewalks.
- Harriet Christovich, 110 Seagate Avenue, was also concerned about bushes growing over sidewalk and suggested that the city take note of all violations.
- Tom Tankersley, 1038 Kings Road, felt overgrown bushes was a public safety issue and guidelines needed to be set for detached garages. Mr. Tankersley felt Mayor Brown would represent the city well at the Florida League of Cities Annual Conference and the tax incentive east of Third Street should include on site parking.
- Donald White, Chairman of the Board of Appeals, 1414 First Street, felt that the areas both east and west of Third Street should be considered in the detached garage ordinance.

Adjournment

There being no further business, the meeting adjourned at 9:07 p.m.

\_\_\_\_\_  
Richard A. Brown, Mayor

Attest:

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

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