



MINUTES
REGULAR CITY COUNCIL MEETING
JULY 2, 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 July 2, 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
Councilor Harriet Pruette	City Clerk Lisa Volpe, CMC
Councilor Ronald D. Patronik	Deputy City Clerk Karla Strait
Councilor J.W. "Buddy" Crout	Assistant to the City Manager Terry Klein
City Attorney Christopher A. White	Director of Public Safety William Brandt
	Director of Finance Steve Ramsey
ABSENT:	Building Official Dan Arlington
Vice Mayor Robert D. Shimp	Assistant to the Building Official Piper Turner

Order Call/Pledge

Mayor Brown called the meeting to order and asked Councilor Patronik to lead the Pledge of Allegiance.

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS/NONE

APPROVAL OF MINUTES

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

JUNE 4, 2001, REGULAR COUNCIL MEETING
JUNE 18, 2001, WORKSHOP COUNCIL MEETING

Moved by Patronik, seconded by Pruette.

Roll Call Vote:

Ayes: 4 – Crout, Patronik, Pruette, Brown
 Noes: 0
 Absent: 1 – Shimp

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

- July 4th Councilor Patronik asked the City Manager and Police Chief to provide extra safety measures for the July 4th holiday. City Manager Linn stated there would be extra patrols along with motorcycle and bicycle police.
- Redistricting City Manager Linn announced that Jacksonville City Councilman Jerry Holland would be coming to the meeting to speak to the council about Jacksonville's redistricting.

CITY MANAGER REPORTS

- Handicap Walkway HANDICAP WALKWAY AT TOWN CENTER LIFEGUARD STATION: City Manager Linn reported the permit from the Florida Department of Environmental Protection had been received and a purchase authorization had been issued to Michael Adams for construction. The walkway was expected to be completed by the end of July. The railing will be identical to the existing lifeguard building.
- Shade meeting SHADE MEETING: City Manager Linn requested that a shade meeting be set up to discuss union contract negotiations.

Consensus: **TO HOLD THE SHADE MEETING ON MONDAY JULY 9, 2001 AT 6:30 P.M.**

COMMENTS FROM THE PUBLIC

- Public Comments Michael Dunlap, 212 Lora Street, asked the council to consider his handout on garage apartments and to amend the proposed garage ordinance to include them.
- Lynda Padrta, 1113 First Street, encouraged the passage of the curfew ordinance and tax incentive resolution and felt that garages needed to be addressed immediately without the encumbrance of the garage apartment issue.
- Regina Nolting, 1606 First Street, complained about the amount of crowds and law enforcement on First Street on July 4th.
- Susan Carol Losh, 115 Lora Street, was concerned about safety on July 4th and if existing garages would be grandfathered in with the new ordinance.

CONSENT AGENDA

- Contract Awards Jarboe Park CONTRACT AWARD – JARBOE PARK IMPROVEMENTS – DUVAL ASPHALT:

CONTRACT AWARD – JARBOE PARK IMPROVEMENTS – RWB/SWS:

Moved by Crout, seconded by Patronik.

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

Roll Call Vote:

Ayes: 4 – Crout, Patronik, Pruette, Brown

Noes: 0

Absent: 1 - Shimp

MOTION CARRIED

VARIANCES/NONE

ORDINANCES

- Ordinance No. ORDINANCE NO. 2001-07, JUVENILE CURFEW EMERGENCY ADOPTION – FIRST

2001-07

READ, SECOND READ, AND PUBLIC HEARING, SPONSORED BY COUNCILOR CROUT: AN ORDINANCE TO ESTABLISH A NOCTURNAL CURFEW APPLICABLE TO JUVENILES AND REGULATING THEIR ACTION IN PUBLIC PLACES; AND DEFINING THE DUTIES OF PARENTS OR GUARDIANS OF JUVENILES AND OPERATORS OF ESTABLISHMENTS; AND PROVIDING FOR POLICE PROCEDURES FOR THE VIOLATION THEREOF.

Director of Public Safety William Brandt discussed the problem that precipitated this ordinance. All other communities in Duval County have similar ordinances passed between 5 and 10 years ago. In the last few months there has been a large increase in car burglaries. He requested this so officers had a legal reason to stop suspicious juveniles and question them about their actions and intent. He explained there were legitimate exceptions to the curfew.

City Attorney White asked the Chief Brandt if he considered it an emergency. Chief Brandt responded that due to the frequency of the problems in recent months he felt it was a emergency.

The council discussed the ordinance considering changing the time to midnight and one a.m.

Mayor Brown read Ordinance No. 2001-07 by title only and opened the public hearing.

Lenne LaRue III, 600 Driftwood Road, on behalf of the teens of Neptune Beach he requested the curfew to be more lenient in the summer since school was out. He did not feel it was right to take away the rights of teens because of a few ones who may be involved in illegal actions. He asked for a compromise. The parents should control their teens and punishments should be harsher for those who do commit crimes.

Lynda Padrta, 1113 First Street, stated there is nothing you can not do at 8 p.m. that you can do at midnight.

Chris Oakey, 620 Camellia Terrace Drive, supported the ordinance due to the vandalism in his neighborhood especially to mailboxes.

Harriet Christovich, 110 Seagate Avenue, supported the ordinance because of the Police Chief's recommendation and also to protect teens.

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

Moved by Crout , seconded by Patronik.

Motion: **TO ADOPT ORDINANCE NO. 2001-07, JUVENILE CURFEW AS AN EMERGENCY.**

Roll Call Vote:

Ayes: 4 – Crout, Patronik, Pruette, Brown

Noes: 0

Absent: 1 – Shimp

MOTION CARRIED

Moved by Crout , seconded by Patronik.

Motion: **TO ADOPT ORDINANCE NO. 2001-07.**

Roll Call Vote:

Ayes: 4 – Crout, Patronik, Pruette, Brown
Noes: 0
Absent: 1 – Shimp

MOTION CARRIED

Redistricting

Jacksonville City Councilman Jerry Holland stated that the Jacksonville Redistricting Committee had reached a compromise. Everything west of the intracoastal except Mayport Naval Base would become District 13. He does not live in the new district 13 but has thought about moving across the intra coastal. He would continue to represent the beach because the new lines would not take effect until the 2003 elections.

The City Council thanked him for helping in keeping the beaches together.

Ordinance No.
2001-08

ORDINANCE NO. 2001-08, DEFINING DETACHED GARAGES, FIRST READ, SPONSORED BY COUNCILOR PRUETTE: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, 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 27-328(a)(7).

Mayor Brown read Ordinance No. 2001-08 by title only.

Moved by Crout, seconded by Pruette

Motion: **TO ADOPT ORDINANCE NO. 2001-08, DEFINING DETACHED GARAGES.**

Councilor Pruette stated this ordinance was important in order to help the Building Department and the Board of Appeals. She felt that garage apartments could be considered at a later time with all information.

Mayor Brown clarified that this ordinance did not stop garage apartments and they should be considered at a later time.

Councilor Patronik felt this was important to help the boards and liked the square footage compromises. He also stated that garage apartments could still be looked into.

Roll Call Vote:

Ayes: 4 – Crout, Patronik, Pruette, Brown
Noes: 0
Absent: 1 - Shimp

MOTION CARRIED

City Manager Linn reminded the council and the audience that the second read for this ordinance would be on July 9, 2001 at 7p.m.

Councilor Pruette stated she would be more than happy to speak with Michael Dunlap about establishing regulations on garage apartments.

Ordinance No.
2001-09

ORINANCE NO. 2001-09, RESPONSIBILITY FOR CODE INTERPRETATION, FIRST READ, SPONSORED BY COUNCILOR CROUT: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING SECTION 27-13, RESPONSIBILITY FOR INTERPRETATION OF THE CODE OF ORDINANCES AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown read Ordinance No. 2001-09 by title only.

Moved by Crout, seconded by Pruette.

Motion: **TO PASS ORDINANCE NO. 2001-09, RESPONSIBILITY FOR CODE INTERPRETATION, ON FIRST READ.**

Councilor Crout stated this was to clarify who had final say on code interpretation. Councilor Patronik asked the City Attorney what would happen if the City Manager had to disagree. City Attorney White said the City Manager could defer to the department head and that this ordinance would not supersede any state law.

Roll Call Vote:

Ayes: 4 – Crout, Patronik, Pruette, Brown
Noes: 0
Absent: 1 – Shimp

MOTION CARRIED

OLD BUSINESS/NONE

NEW BUSINESS

Resolution No.
2001-11

RESOLUTION NO. 2001-11, AUTHORIZING THE CITY MANAGER TO SIGN STATE WIDE MUTUAL AID AGREEMENT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO SIGN AND APPROVING THE ATTACHED FLORIDA STATEWIDE MUTUAL AID AGREEMENT.

City Manager Linn stated this was an update of the agreement already in place.

Moved by Crout, seconded by Patronik.

Motion: **TO APPROVE RESOLUTION NO. 2001-11, AUTHORIZING THE CITY MANAGER TO SIGN THE STATE WIDE MUTUAL AID AGREEMENT.**

Roll Call Vote:

Ayes: 4 – Crout, Patronik, Pruette, Brown
Noes: 0
Absent: 1 – Shimp

MOTION CARRIED

Resolution No.
2001-12

RESOLUTION NO. 2001-12, PROPOSING A TAX INCENTIVE TO CONVERT MULTI-DWELLING UNITS TO SINGLE FAMILY UNITS: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA, REQUESTING JACKSONVILLE SUPPORT FOR AN ORDINANCE PROVIDING A TAX INCENTIVE FOR CONVERSIONS OF MULTI-FAMILY TO SINGLE FAMILY STRUCTURES.

Mayor Brown stated this was requested by Councilman Holland so he could bring it before the Jacksonville City Council. Councilor Pruette questioned guidelines of what constituted a duplex becoming a single family home. Councilor Crout asked why and how it would be limited to five homeowners.

Moved by Pruette, seconded by Crout.

Motion: **TO APPROVE RESOLUTION 2001-12, PROPOSING A TAX INCENTIVE TO CONVERT MULTI-DWELLING UNTIS TO SINGLE FAMILY UNITS.**

Roll Call Vote:

Ayes: 4 – Crout, Patronik, Pruette, Brown

Noes: 0

Absent: 1 – Shimp

MOTION CARRIED

Resolution No.
2001-13

RESOLUTION NO. 2001-13, ADOPTION OF CAPITAL IMPROVEMENT PLAN: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA, APPROVING A CAPITAL IMPROVEMENT PLAN AS PART OF THE BUDGET PROCESS.

Moved by Crout, seconded by Pruette.

Motion: **TO APPROVE RESOLUTION NO. 2001-13, ADOPTION OF CAPITAL IMPROVEMENT PLAN.**

Roll Call Vote:

Ayes: 4 – Crout, Patronik, Pruette, Brown

Noes: 0

Absent: 1 – Shimp

MOTION CARRIED

Third Street
Medians

APPROVAL OF THE SOLICITATIONS FOR PROPOSALS FOR THE INSTALLATION OF IRRIGATION SYSTEM FOR THE THIRD STREET MEDIANS: City Manager Linn stated that Councilman Holland secured \$40,000 out of the Jacksonville Tree Mitigation Fund to pay for this irrigation system for the palm trees on the Third Street medians and asked for approval to request proposals.

Moved by Crout, seconded by Patronik.

Motion: **TO APPROVE THE SOLICITATION FOR PROPOSALS FOR THE INSTALLATION OF IRRIGATION SYSTEM FOR THE THIRD STREET MEDIANS.**

Roll Call Vote:

Ayes: 4 – Crout, Patronik, Pruette, Brown

Noes: 0

Absent: 1 – Shimp

MOTION CARRIED

Adjournment

There being no further business, the meeting adjourned at 8:16 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____