



MINUTES
REGULAR CITY COUNCIL MEETING
MARCH 4, 2002 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 4, 2002, 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 Attorney Christopher A. White
Vice Mayor Robert D. Shimp	City Clerk Lisa Volpe, CMC
Councilor Jimmy Gilbert	Assistant to the City Manager Terry Klein
Councilor Ronald D. Patronik	Director of Finance Steve Ramsey
Councilor Harriet Pruette	Building Official Dan Arlington
City Manager Richard A. Linn	Deputy City Clerk Karla Strait, CMC

Order Call/Pledge

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

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS/NONE

APPROVAL OF MINUTES

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

FEBRUARY 4, 2002, REGULAR COUNCIL MEETING
FEBRUARY 11, 2002, WORKSHOP COUNCIL MEETING
FEBRUARY 25, 2002, SPECIAL COUNCIL MEETING
FEBRUARY 25, 2002, WORKSHOP COUNCIL MEETING

Moved by Patronik, seconded by Shimp.

Roll Call Vote:

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

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Mayor Brown recognized City Manager Linn and thanked him for stepping up repairs to the water lines on 7th Street so that future water breaks would be minimal.

Councilor Patronik had concerns about a survey being sent to Neptune Beach residents by City of Jacksonville Councilman Jerry Holland asking if they would prefer utility service from JEA. He stated there were more concerns than just price such as service and who owned the facility when discussing change of utility. Mayor Brown stated Councilman Holland had contacted him about the survey and about doing a presentation for council. Mr. Holland would be at the March 18, 2002 workshop meeting. This is just for information not for any decision at this very moment.

Councilor Pruette was opposed to the sampling and felt all utility customers should receive the survey. She also did not agree with the voters registration being used to do the mailing.

Councilor Gilbert stated he did receive the mail out but had not filled it out yet. He felt it could be used as a bargaining chip with surrounding communities to show our value.

Councilor Patronik stated he spoke with Mayor Meserve of Atlantic Beach and felt the three beaches should work more closely together.

Vice Mayor Shimp was against JEA taking over because it meant loss of control and felt Jacksonville should not impose on the beaches communities.

Mayor Brown felt comfortable with Neptune Beach service but felt it could not hurt to gather all information.

Councilor Pruette thanked the Mayor for bringing this before Council and not keeping discussions to himself.

City Clerk Volpe commented that she had a new timer for comments from the public.

CITY MANAGER REPORTS

DISCUSSIONS WITH JACKSONVILLE BEACH AND ATLANTIC BEACH: City Manager Linn reported he and Jim Miller of PBS&J had met with Atlantic Beach city manger, engineer, public works and utility director. They discussed how to strengthen the relationship and each utility. They discussed linking water connections so water could be shared. They are looking at four different sample agreements to formalize these sharing relationships. He also met with Jacksonville Beach utility directors. There was interest in connecting with their water system. And building a north south main water line along Penman Road. He discussed with Jacksonville Beach for them to service some customers near Seagate Avenue that were still on septic tanks.

City Manager Linn asked the Council to ratify the emergency action he took to replace the water line on 7th Street. This would alleviate boil water alerts. He contracted Gruhn May to do the work. Work should be completed by close of business tomorrow and can be disconnected and service connects hooked up by the end of the week. Mr. Linn stated that the section of pipe would be removed from the total utility project which is now out for bid.

Motion: **THERE IS A WATER SAFETY EMERGENCY RELATED TO THE HEALTH & SAFETY OF THE PUBLIC AND ON THAT BASIS TO APPROVE THE ACTION TAKEN BY THE CITY MANAGER**

Moved by Patronik, seconded by Shimp.

Roll Call Vote:

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

Kings Road Bridge

Councilor Pruette asked for an update on the King Road bridge repair. City Manager Linn stated a letter would be going out from Mayor Brown to the Mayor of Jacksonville Beach regarding an alternate ingress/egress for the area so that work can be done on the bridge.

COMMENTS FROM THE PUBLIC

Public Comments

Judy Bost, 115 Walnut Street, questioned the letter/survey from Councilman Holland. She stated it came at a time where some individuals would be upset about water problems in Bal Harbour. She did not understand the rate comparison, She pointed out the schools compared may not be equal. She questioned where JEA would get the money to fix our infrastructure. She also pointed out that the "no parking" signs on First Street were different in each block and felt they should all match.

Tim Slater, 573 Magnolia Street, brought a piece of pipe from Bal Harbour. He thanked the council for doing work on 7th Street. He asked when the work would begin and how he could receive updates when the work began in his neighborhood.

Mr. Linn stated Bal Harbour would be the first to be worked on and if all went as planned the work would start the first week in May. He also stated the engineer would post updates on the city web page.

Harriet Christovich, 110 Seagate Avenue, suggested letting residents know in the city newsletter that if the water is shut off then they must boil water and also let them know if they are allowed to shower in it.

Lynda Padrta, 1113 First Street, commented on the comparison used in the utility survey. She felt water problems should be worked on so businesses are not inconvenienced. She wanted citizens to be made aware of water outages during construction.

Ralph LaPerna, 2507 Waters Edge Drive, asked Council what was the status for the Watersedge Drive drainage problem.

City Attorney White stated that he and the Mayor had a meeting with JTA. They were in the process of having the project manager come out and see who is responsible and who will be fixing the problem.

Mr. LaPerna asked if it was being dealt with in violation of the Nuisance Ordinance. Mr. Linn stated it is not definite whose property it is and the homeowners may actually be responsible for it. Discussion ensued. Vice Mayor Shimp asked for a verbatim of the discussion during the February 25, 2002 meeting. City Attorney White stated that the Nuisance Ordinance could not actually be used against JEA but rather a lawsuit would have to be filed for inverse condemnation since it is a governmental unit.

Consensus: **TO HAVE CITY ATTORNEY WHITE LOOK INTO IF THE CITY COULD FILE AN INVERSE CONDEMNATION AGAINST JEA FOR THE DRAINAGE PROBLEMS AT WATERSEDGE DRIVE DUE TO THE MAYPORT FLYOVER.**

CONSENT AGENDA

APPROVAL OF ADVERTISEMENT OF BIDDING FOR EMERGENCY GENERATOR FOR PUBLIC SAFETY BUILDING

APPROVAL OF THE SELECTION OF ARCHITECTURAL FIRM FOR PUBLIC

SERVICES FACILITY

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

Moved by Patronik, seconded by Shimp.

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

VARIANCES/NONE

ORDINANCES/NONE

OLD BUSINESS/NONE

NEW BUSINESS

Stormwater Utility Workshop **SET DATE FOR A STORMWATER UTILITY WORKSHOP:** Mayor Brown stated he had given out a recommended agenda. The meeting was set for Monday, March 25, 2002, at 7:00 pm. City Manager Linn stated that Councilor Gilbert, Councilor Pruette and Building Official Arlington could get together to add concrete permitting.

LDR Workshop **SET DATE FOR A LAND DEVELOPMENT REGULATIONS WORKSHOP:** The meeting was set for Monday, April 29, 2002.

Adjournment There being no further business, the meeting adjourned at 8:12 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____