



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**JULY 1, 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 June 3, 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	Director of Public Services, Leon Smith
	Deputy City Clerk Karla Strait, CMC

Order Call/Pledge

Mayor Brown called the meeting to order at 7:00 p.m. and asked Fletcher High School students, Justin and Jordan Peterson, to lead the Pledge of Allegiance.

**APPROVAL OF MINUTES**

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

**MAY 28, 2002, WORKSHOP COUNCIL MEETING**  
**MAY 29, 2002, SPECIAL COUNCIL MEETING**  
**MAY 29, 2002, WORKSHOP COUNCIL MEETING**  
**JUNE 3, 2002, REGULAR COUNCIL MEETING**  
**JUNE 17, 2002, BUDGET COUNCIL MEETING**  
**JUNE 17, 2002, WORKSHOP COUNCIL MEETING**

Moved by Patronik, seconded by Gilbert.

Roll Call Vote:

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

**MOTION CARRIED**

**AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS**

Fiesta Bowl Parade

Larry Shealy, President of the Fletcher High School 12<sup>th</sup> Man Booster Club, announced the Fletcher High School Band had been invited to participate in the Fiesta Bowl

Parade for the National Band Championship this year.

Paul Pippin, Director of the Fletcher High School Band, stated Fletcher High was one of sixteen bands in the United States to be selected to participate in the Fiesta Bowl Parade and the National Band Championship. They were the first band from the City of Jacksonville to ever be accepted. The band needed to raise \$200,000 in order to participate. They were actively trying to raise money and requesting contributions from the beach cities.

Julie Lucas, President of Fletcher High Band Boosters, stated the Booster Club was faced with the challenge of raising \$200,000 in four months. Since they were informed two weeks ago they had already raised \$3,000 in contributions and \$2,000 in pledges. She invited everyone to the premier show Saturday, July 27, 2002, at 6:00 at the Fletcher High School Stadium.

Mayor Brown thanked the guests for their presentation and asked to place the issue on the July 15, 2002, workshop meeting for discussion.

### **COMMUNICATIONS AND CORRESPONDENCE**

Mayor Brown stated he had received copies of letters from residents thanking our Police Department for watching over their homes while they were on vacation. He added it was a nice example of personal service in a small community.

Vice Mayor Shimp was concerned about a greenscape area on Seawood Drive. Residents had complained that the city sprayed herbicide each year that destroyed the plants and did not go back and clean them up. He questioned why the area was sprayed.

Councilor Patronik requested discussing the issue of turning the property between the Leeward Landing and Summer Sands subdivisions into a park, on the July 15, 2002, workshop meeting.

Councilor Pruette requested discussing other permissible uses for commercial property, Table 27-226-1, at the July 15, 2002, workshop meeting.

Councilor Gilbert asked for an update on the beautification of the north end of Florida Boulevard at the entrance to the city to be placed on the July 15, 2002, workshop meeting. City Manager Linn stated he would meet with Councilor Gilbert for suggestions and options.

### **CITY MANAGER REPORTS**

Utility Improvement

**UTILITY IMPROVEMENT PROJECT UPDATE:** City Manager Linn reported Utilex had been working in Bal Harbor for four weeks. All the main water lines were installed and 50% of the service connections had been made. They were in the process of interconnecting with the old system and hoped to have all connections made and testing complete within two weeks. They were also locating the existing utilities on Florida Boulevard to map out where the 12" main would be placed. Their working relationship was excellent with a great response time and only a few minor problems.

Public Services  
Director

**APPOINTMENT OF LEON SMITH – DIRECTOR OF PUBLIC SERVICES:** City Manager Linn introduced newly appointed Director of Public Services, Leon Smith who would be replacing John Galen. Leon Smith thanked the Council and City Manager Linn for allowing him the opportunity to serve as Director of Public Services. The Council congratulated him on his appointment.

### **PUBLIC COMMENTS**

Dennis McLendon, 1914 Seagate Avenue, opposed the city vacating and abandoning the  $\frac{3}{4}$  acres of property at the end of Seagate Avenue for Steve Jarrett's subdivision.

Steve Jarrett, 210 South Street, stated his plans were incomplete at this time. He asked the Council to table his request for abandoning the property and the development order, for the subdivision at the end of Seagate Avenue, to the July 15, 2002, workshop meeting.

Jo Anne Waddill, 115 Oleander Street, was opposed to the Council abandoning any public property especially the property at the end of Seagate Avenue. She would like for the property to be turned into a conservation area.

Mary Ann Padrta, 1032 Second Street, felt that property belonging to the city also belonged to the citizens of Neptune Beach and was not the Council's property to give away. She asked the Council to consider selling property instead of giving it away.

Lynda Padrta, 1113 First Street, asked the Council to find a way to deny deeding the 40 feet of property the city council gave away in 1994 on First Street, to the adjacent property owner. She stated it would be a \$75,000 personal gain to the owner. She added that property could be used for beach access parking. She also opposed abandoning the property at the end of Seagate Avenue. She asked that the Water Improvement Project information on the website be updated.

Kara Tucker, 1650 Leeward Lane, felt it was not prudent for the City of Neptune Beach to give away land to private citizens or profit making organizations.

Steve Jarrett, 210 South Street, stated it was his understanding that if someone had given property to the city the property could not be sold. He thought the only option would be for the city to abandon it.

Leslie Karlin, 1506 Spindrift Circle West, was concerned about the city abandoning property and how the Planning & Development Review Board could make the decision to recommend it.

Donald White, 1414 First Street, felt all residents should have a say regarding public property and any property that was to be abandoned should require a referendum.

For the Record Councilor Pruette stated for the record she would not support abandoning any public property.

#### **CONSENT AGENDA**

Councilor Patronik requested voting on the two items, on the consent agenda, separately.

Consensus: **TO VOTE SEPARATELY ON THE TWO ITEMS ON THE CONSENT AGENDA.**

4x4 Pick-up

**AUTHORIZATION TO PURCHASE 4 X 4 PICK-UP:** City Manager Linn stated the 4 x 4 pick-up truck would be assigned to Stormwater and the old truck would be transferred to Animal Control.

Moved by Shimp, seconded by Patronik.

Motion: **TO AUTHORIZE THE PURCHASE OF A 4 X 4 PICK-UP TRUCK FOR THE STORMWATER DEPARTMENT.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

July 5<sup>th</sup>

**DECLARATION OF JULY 5<sup>TH</sup> AS A CITY HOLIDAY FOR YEAR 2002:** Approval to declare July 5<sup>th</sup>, 2002, the Friday after July 4<sup>th</sup>, a holiday.

Moved by Gilbert, seconded by Pruette.

Motion: **TO APPROVE DECLARATION OF JULY 5, 2002, A CITY HOLIDAY.**

Roll Call Vote:

Ayes: 3 – Gilbert, Pruette, Brown

Noes: 2 – Patronik, Shimp

**MOTION CARRIED**

#### **VARIANCES / NONE**

#### **ORDINANCES**

Ord. No. 2002-04

**ORDINANCE NO. 2002-04, AMENDING SECTION 27-238, MAXIMUM LOT COVERAGE, SECOND READ AND PUBLIC HEARING, SPONSOR – COUNCILOR PRUETTE:** AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING SECTION 27-238, MAXIMUM LOT COVERAGE AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown opened the public hearing for comments from public.

Lynda Padrta, 1113 First Street, supported the Ordinance and an incentive to reduce impervious surfaces.

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

Moved by Pruette, seconded by Gilbert.

Motion: **TO ADOPT ORDINANCE NO. 2002-04, ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

Ayes: 3 – Gilbert, Pruette, Brown

Noes: 2 – Patronik, Shimp

**MOTION CARRIED**

Ord. No. 2002-05

**ORDINANCE NO. 2002-05, AMENDING TABLE 27-226-1, PERMISSIBLE USES, FIRST READ AND PUBLIC HEARING, SPONSOR – MAYOR BROWN:** AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING TABLE 27-226-1, TABLE OF PERMISSIBLE USES AND PROVIDE AN EFFECTIVE DATE.

Mayor Brown opened the public hearing for comments from the public.

Darryl Grubbs, 1919 Nightfall Drive, owner of Tradewinds Plaza Shopping Center, favored allowing gymnastic studio's and athletic and exercise clubs in the C-2 & C-3 districts.

Sheila Connor, owner of Curves for Women, stated she had customers in Neptune Beach that were anxious to have a facility in Neptune Beach. She explained the club offered a 30-minute workout for women.

Lynda Padrta, 1113 First Street, favored the Women's Health Club in the Tradewinds Shopping Center, but was concerned about traffic and parking.

Lana Huguenin, 15212 Summer Sands Drive, preferred the Women's Health Club over the bar that was previously in the shopping center.

Misty Wheeler, 1321 Penman Road, looked forward to the Women's Health Club opening up and felt it would benefit the city.

Leslie Karlin, 1506 Spindrift Circle West, did not visualize a problem with traffic or parking for the Women's Health Club location in the shopping center.

Carol DeMarre, felt there would not be a problem with parking because the members would only be there for 30-minute time periods.

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

Moved by Pruette, seconded by Patronik.

Motion: **TO PASS ORDINANCE NO. 2002-05, ON FIRST READ AND PUBLIC HEARING.**

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

Noes: 0

**MOTION CARRIED**

Mayor Brown explained in order for Sheila Connor, owner of Curves for Women, to meet her deadline, a special meeting for second read and public hearing had been advertised for July 11, 2002 at 6:00 p.m.

**OLD BUSINESS / NONE**

**NEW BUSINESS**

Back to School Party

**CLOSURE OF ATLANTIC BOULEVARD FOR TOWN CENTER BACK TO SCHOOL PARTY FROM 6:00 A.M. TO 6:00 P.M. JULY 27, 2002:** A back to school party would be held in Town Center on July 27, 2002, from 6:00 a.m. to 6:00 p.m.

Moved by Shimp, seconded by Gilbert.

Motion: **APPROVE CLOSURE OF ATLANTIC BOULEVARD FOR TOWN CENTER BACK TO SCHOOL PARTY FROM 6:00 A.M. TO 6:00 P.M. JULY 27, 2002.**

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

Noes: 0

**MOTION CARRIED**

- Abandoned Property ABANDONING AND VACATING 40 FEET OF PUBLIC PROPERTY – FIRST STREET AND NORTH STREET: City Attorney Chris White stated the 40 foot strip was abandoned by the city council in 1994, the city kept a utility easement but did not make any mention of the sidewalk. He asked council to consider moving the issue to a workshop so he could have time to resolve any legal or practical issues before bringing the information to the council.
- Councilor Pruette thought City Attorney White should do a title search on the property to find out the type of ownership. City Attorney White responded he could not have a title search done in time for the workshop meeting. The piece of property would have to be specified and may require a survey. He may be able to find out the type of ownership through the city records.
- Vice Mayor Shimp stated he had spoken with the adjacent property owner and he was willing to give the sidewalk plus 10' of the property back to the city. He had asked City Attorney White to prepare the paperwork. Vice Mayor Shimp stated if the council was comfortable he would speak with the other property owners and try to work with them on the city obtaining back a right-of-way for the sidewalk.
- Consensus: **FORWARD TO THE JULY 15, 2002, WORKSHOP MEETING.**
- Abandon Seagate REQUEST TO VACATE, CLOSE, AND ABANDON A PORTION OF SEAGATE AVENUE: Steve Jarrett requested deferring the abandonment to the July 15, 2002, workshop meeting.
- Consensus: **DEFER TO THE JULY 15, 2002, WORKSHOP MEETING.**
- Development Order Seagate Ave. APPROVAL OF DEVELOPMENT ORDER FOR SEAGATE AVENUE – STEVE JARRETT: Steve Jarrett requested deferring the development order to the July 15, 2002, workshop meeting.
- Consensus: **DEFER TO THE JULY 15, 2002, WORKSHOP MEETING.**
- Budget Meeting Director of Finance Steve Ramsey asked if the council would like to hold the budget meeting that was scheduled for July 8, 2002, on July 11, 2002, after the special meeting. The council declined moving any meeting.
- Height Restrictions Councilor Gilbert asked to place the issue of height restrictions on the July 15, 2002, workshop meeting for discussion.
- Adjournment There being no further business, the meeting adjourned at 8:33 p.m.

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Richard A. Brown, Mayor

ATTEST:

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Lisa Volpe, CMC, City Clerk

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