



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

Order Call/Pledge

Mayor Brown called the meeting to order at 7:00 p.m. and asked Vice Mayor Shimp to lead the Pledge of Allegiance.

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS

PRESENTATION OF ICMA AWARD TO CITY MANAGER RICHARD LINN: Mayor Brown presented a plaque to City Manager Linn for achieving 30 years of service with the International City & County Manager's Association.

APPROVAL OF MINUTES

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

OCTOBER 7, 2002, REGULAR CITY COUNCIL MEETING
OCTOBER 21, 2002, WORKSHOP CITY COUNCIL MEETING
OCTOBER 28, 2002, WORKSHOP CITY COUNCIL MEETING

Moved by Patronik, seconded by Shimp.

Roll Call Vote:

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

MOTION CARRIED

Agenda
Amendment

AMENDMENT TO THE AGENDA: Mayor Brown recommended amending the agenda to move the approval of access to Steve Jarrett's property on Poinciana Road forward for consideration.

Moved by Pruette, seconded by Gilbert.

Motion: **TO AMEND THE AGENDA AND MOVE THE APPROVAL OF ACCESS TO THE POINCIANA DEVELOPMENT FORWARD FOR CONSIDERATION.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Poinciana Access

APPROVAL OF ACCESS TO POINCIANA DEVELOPMENT – COUNCILOR PRUETTE:

Moved by Pruette, seconded by Gilbert.

Motion: **TO REMOVE THE BARRICADE AT OAKHURST DRIVE AND FLORIDA BOULEVARD TO ALLOW ACCESS TO POINCIANA ROAD AND RETAIN THE BARRICADE AT OAKHURST DRIVE AND POINCIANA ROAD.**

Moved by Gilbert, seconded by Patronik.

Friendly Amendment: **GRANTING ACCESS OFF FLORIDA BOULEVARD TO OAKHURST DRIVE – NOT TO GO THROUGH SUMMER SANDS.**

Roll Call Vote on friendly amendment:

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

Noes: 0

Roll Call Vote on Motion:

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

Noes: 0

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Lemon St. Parking

PARKING ON LEMON STREET: Vice Mayor Shimp asked to place the issue of adding parking spaces along Lemon Street, in front of the sidewalk that was being installed next to the Amsouth Bank, on the November workshop agenda.

JTA Bus Route

JACKSONVILLE TRANSPORTATION AUTHORITY BEACHES BUS ROUTE BH2: Councilor Gilbert asked if there was a way the City could prevent J.T.A. from canceling Bus Route BH2.

City Manager Linn stated Council could pass a resolution in opposition of J.T.A. canceling the route. Residents could also write letters of objections to J.T.A. The Mayor asked staff to check the impact on Neptune Beach because of this cancellation.

Seawood Drive SEAWOOD DRIVE GREENSPACE – CLEAN UP: Councilor Pruette questioned the progress of the Seawood Drive greenspace cleanup.

City Manager Linn responded the City was instructed to remove the potato vines and the large piles of yard waste and nothing else unless directed otherwise by the Council.

Leeward Landing ROADWAY CONNECTING LEEWARD LANDING AND SUMMER SANDS: Councilor Patronik asked to place the issue of the platted roadway that would connect Leeward Landing to Summer Sands on the December regular meeting agenda.

Election ELECTION 2002: City Clerk Lisa Volpe reminded everyone there would be a special council meeting on Wednesday, November 6, 2002, to certify the results of the election. She urged everyone to vote on November 5th.

CITY MANAGER REPORTS

Public Services Facility REPORT ON MEETING WITH NEIGHBORS OF THE PUBLIC SERVICES FACILITY: City Manager Linn reported a meeting was held with the property owners that abutted the Public Services Facility to discuss concerns regarding the conceptual plans for the new facility. The meeting went very well and some major changes were made to the plans. There would be a follow up meeting with new drawings in approximately two weeks.

PUBLIC COMMENTS

Richard Fail, 510 Oak Street, was concerned about the city cleaning up areas in his neighborhood.

Michael Aston, 1523 Summer Sands, thanked the Council for making the decision not to allow Steve Jarrett access to Poinciana Road through Summer Sands.

Scott McClure, 310 Sunrise Circle, was concerned about a possible assessment on his property. He felt the developer should bear the cost of development.

Susan Daicoff, 1438 Spindrift Circle East, a single mother with two small children, thanked the Council for their decision not to open Oakhurst Drive through to Florida Boulevard allowing access to Poinciana Road through Summer Sands.

Lynda Padrta, 1113 First Street, voiced disappointment that the link for the Water & Sewer Project schedule had been removed from the city web page.

Hays Bishop, 1443 Spindrift Circle East, asked for clarification that Oakhurst Drive would not be opened to Florida Boulevard.

Scott Weikel, 228 Windswept Circle, was concerned the intended access to Poinciana Road for Steve Jarrett's development would raise the possibility of a large assessment on his property.

Jim Miller, 1633 Hopkins Creek Lane, Vice President, PBS&J and Engineer for the Water & Sewer Project explained the link for the project schedule had been removed from the website due to possible liabilities involving PBS&J.

Laura Patronik, 1520 Leeward Lane, opposed opening a throughway from the Leeward Landing subdivision into the Summer Sands subdivision.

Leslie Karlin, 1506 Spindrift Circle West, thanked the Council for their decision not to open Oakhurst Drive to Florida Boulevard. She felt the decision would also satisfy the developer.

CONSENT AGENDA/NONE

VARIANCES/NONE

ORDINANCES

Ord. No. 2002-11

ORDINANCE NO. 2002-11, AMENDMENT TO THE TEMPORARY SIGNS SECTION TO REMOVE THE TIME LIMITS FOR POLITICAL CAMPAIGN SIGNS, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA DELETING SECTION 27-283(b) 6 c RENAMING SECTION 27-583 (b) 6 d SECTION 27-283(b) c AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown opened the public hearing.

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

Moved by Shimp, seconded by Pruette.

Motion: **TO ADOPT ORDINANCE NO. 2002-11, ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Ord. No. 2002-12

ORDINANCE NO. 2002-12, AMENDMENT TO EXPRESSLY PROHIBITED USE ORDINANCE TO ALLOW RESIDENTIAL DWELLINGS IN THE CBD ZONING DISTRICT, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH FLORIDA, AMENDING SECTION 27-225 USES EXPRESSLY PROHIBITED WITHIN ZONING DISTRICTS AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown opened the public hearing.

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

Moved by Gilbert, seconded by Shimp.

Motion: **TO ADOPT ORDINANCE NO. 2002-12 ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Ord. No. 2002-06

ORDINANCE NO. 2002-06, AMENDING TABLE 27-226-1, PERMISSIBLE USES, SECOND READ AND PUBLIC HEARING: 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.

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

Moved by Shimp, seconded by Patronik.

Motion: **TO ADOPT ORDINANCE NO. 2002-06 ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Ord. No. 2002-13

ORDINANCE NO. 2002-13, AMENDMENT TO THE FOOTPRINT BILL TO ALLOW RECONSTRUCTION OF A NON-CONFORMING STRUCTURE IN ALL ZONING DISTRICTS, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING SECTION 27-706, NON-CONFORMING DEVELOPMENT AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown opened the public hearing.

Nancy Jensen, 546 South Street, supported the ordinance; she felt it helped all of the business owners.

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

Moved by Shimp, seconded by Patronik.

Motion: **TO ADOPT ORDINANCE NO. 2002-13, ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Recess/Reconvene

Mayor Brown called a recess at 8:10 p.m. the meeting reconvened at 8:20 p.m.

OLD BUSINESS / NONE

NEW BUSINESS

Special Events

APPROVAL OF THE LIST OF SPECIAL EVENTS FUNDED BY THE CABLE TV TRUST FUND: The list included Christmas in the Park, Santa Claus Parade, Town Center Christmas, Easter Egg Hunt, Sunday in the Park, Picnic in the Park, and the Farmers Market.

Moved by Shimp, seconded by Patronik.

Motion: **TO APPROVE THE LIST OF SPECIAL EVENTS FUNDED BY THE CABLE TV TRUST FUND.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Forfeiture Fund
Transfer

APPROVAL OF THE PURCHASE OF TASERS AND A DONATION TO “A CHILD IS MISSING” FUND: Public Safety Director William Brandt requested a transfer in the amount of \$5,909 from the Forfeiture Fund to purchase 7 tasers in the amount of \$5,759 for the Public Safety Department, and a \$150 donation to “A Child is Missing Program.”

City Manager Linn explained any use of the Fines & Forfeiture Fund had to be approved by the Council.

Moved by Shimp, seconded by Patronik.

Motion: **TO APPROVE THE TRANSFER OF \$5,909 FROM THE FINES & FORFEITURE FUND FOR THE PURCHASE OF SEVEN TASERS IN THE AMOUNT OF \$5,759 FOR THE PUBLIC SAFETY DEPARTMENT AND A \$150 DONATION FOR “A CHILD IS MISSING PROGRAM”.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Res. No. 2002-14

RESOLUTION NO. 2002-14: A RESOLUTION APPOINTING BOARD MEMBERS TO THE CODE ENFORCEMENT BOARD: Reappointing Eric Pardee to serve an alternate 1-year term on the Code Enforcement Board to begin on November 5, 2002, and end on November 4, 2003.

Moved by Gilbert, seconded by Pruette.

Motion: **TO ADOPT RESOLUTION NO. 2002-14.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Communication
Trust Fund
Disbursement

APPROVAL OF DISBURSING COMMUNICATION TRUST FUND MONEY FOR A BASE STATION: City Manager Linn explained this was a countywide system. Officer Larry Dean added this would update the center to comply with a new 800 system.

Moved by Shimp, seconded by Patronik.

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Adjournment

There being no further business, the meeting adjourned at 8:32 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____