



MINUTES
REGULAR CITY COUNCIL MEETING
DECEMBER 2, 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 December 2, 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 Councilor Gilbert to lead the Pledge of Allegiance.

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS

Mayor Brown recognized Councilor Elect Larry Shealy and Councilor Elect John Weldon's presence in the audience.

Mayor Brown presented each council member a t-shirt that listed Paris, London, New York, and Neptune Beach as four of the world's greatest cities.

APPROVAL OF MINUTES

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

NOVEMBER 4, 2002, REGULAR CITY COUNCIL MEETING
NOVEMBER 6, 2002, SPECIAL CITY COUNCIL MEETING
NOVEMBER 18, 2002, WORKSHOP CITY COUNCIL MEETING
NOVEMBER 18, 2002, PUBLIC HEARING MEETING

Moved by Shimp, seconded by Patronik.

Roll Call Vote:

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

MOTION CARRIED**COMMUNICATIONS AND CORRESPONDENCE**

- Sidewalk Maintenance Mayor Brown was concerned about the maintenance of sidewalks on Florida Boulevard. Director of Public Services Leon Smith stated there was a problem west of Penman Road and he would be taking care of it.
- Unleashed Pets Mayor Brown stated he was concerned about an incident in Jarboe Park that involved an unleashed pit bull dog attacking another dog. City Manager Linn responded he was unaware of the incident but he would follow up on it.
- Right-of-ways Councilor Pruette questioned when Ms. McDonald would be removing her palm tree from the city right-of-way. City Manager Linn responded she would be moving the tree onto her property within a few days.

CITY MANAGER REPORTS

- Public Services Facility **SCHEDULED MEETING WITH THE NEIGHBORS OF THE PUBLIC SERVICES FACILITY:** A meeting was scheduled with the neighbors of the public services facility on Monday, December 9th at 6:45 p.m. to discuss changes in the conceptual plans that were suggested at the last meeting.

PUBLIC COMMENTS

- Leslie Karlin, 1506 Spindrift Circle West, felt there was a missing link between the council and the boards. She suggested each council member be assigned to a board. City Attorney White advised that would be a legal problem because the council was an appellant body for board decisions.
- Michael Aston, 1523 Summer Sands, asked the council to allow the residents of Summer Sands to adopt the barricaded right-of-way at the end of Oakhurst Drive.
- Lynda Padrta, 1113 First Street, questioned if First Street would be resurfaced after the water project. City Manager Linn replied the paving of First Street would begin this month.
- Laura Patronik, 1520 Leeward Lane, opposed opening Buddy Crout Lane from Leeward Landing into Summer Sands.

CONSENT AGENDA

- Utility Study **APPROVAL OF JOINT BEACHES UTILITY STUDY:** The study was to determine the pros and cons of wholesaling water from Jacksonville Beach and Atlantic Beach and consider a central billing system.

Moved by Pruette, seconded by Shimp.

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

Roll Call Vote:

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

Noes: 0

MOTION CARRIED**VARIANCES/NONE**

ORDINANCES/NONEOLD BUSINESS / NONENEW BUSINESS

Sewer Project

AWARD CONTRACT FOR PHASE I SEWER PROJECT TO KINSEL INDUSTRIES OF HOUSTON, TEXAS IN THE AMOUNT OF \$3,260,204: City Manager Linn recommended awarding Phase I of the Sewer Project, Parts B&C, to Kinsel Industries.

Moved by Pruette, seconded by Shimp.

Motion: TO AWARD PHASE I SEWER PROJECT, PARTS B&C TO KINSEL INDUSTRIES IN THE AMOUNT OF \$3,260,204 CONTINGENT OF DEP APPROVAL.

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Sunny Caribbee

APPROVAL OF FINAL DEVELOPMENT ORDER FOR SUNNY CARIBBEE AT 100 FIRST STREET: The request was for John Brocato, Caribbee Associates D/B/A Sunny Caribbee for the property located at 100 First Street to be used as a restaurant and bar. The first floor would include seating, kitchen facilities, and retail space. The second floor would be open-air and have a lexan rail panel. There was also an agreement to provide only non-amplified music.

Michael Dunlap explained the restaurant would be family oriented with an open-air bar upstairs.

Moved by Shimp, seconded by Patronik.

Motion: TO APPROVE THE DEVELOPMENT ORDER FOR SUNNY CARIBBEE WITH THE RESTRICTIONS RECOMMENDED BY THE PLANNING & DEVELOPMENT REVIEW BOARD.

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Oakhurst Drive

BEAUTIFICATION OF OAKHURST DRIVE: Councilor Patronik stated the residents of Summer Sands wanted to adopt the barricaded right-of-way at the end of Oakhurst Drive in order to beautify and maintain the area themselves.

Legal Advise City Attorney White cautioned Council against placing an existing right-of-way under private control.

Moved by Patronik, seconded by Shimp.

Motion: COUNCIL AGREES IT WOULD BE A GOOD IDEA FOR SUMMER SANDS TO MEET WITH THE CITY MANAGER AND THE BEAUTIFICATION COMMITTEE TO PLANT AND BEAUTIFY A BARRICADE WITH THE APPROVAL OF THE CITY MANAGER AND THE RECOMMENDATION OF THE BEAUTIFICATION COMMITTEE

AND SUMMER SANDS UNDERSTANDS THAT THIS IS NOT A PERMANENT CLOSING OF THE ROAD.

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Leeward Landing

RESTRICTION OF LEEWARD LANDING / SUMMER SANDS OPENING: Councilor Patronik wanted to prevent the opening of Buddy Crout Lane from Leeward Landing into Summer Sands without approval of the council.

Moved by Patronik, seconded by Pruette.

Motion: **TO REQUIRE COUNCIL APPROVAL FOR ANY CHANGE OF ANY OPENING OF SUMMER SANDS AND LEEWARD LANDING.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Res. No. 2002-15

RESOLUTION NO. 2002-15, APPOINTING BOARD MEMBERS TO THE CODE ENFORCEMENT BOARD AND THE PLANNING & DEVELOPMENT REVIEW BOARD: A Resolution appointing Eric Pardee, Paul Waters, and Lyndal Sweeney to the Code Enforcement Board and appointing James Stahlman, Fred Catter and Joanne Doherty to the Planning & Development Review Board.

Moved by Gilbert, seconded by Shimp.

Motion: **TO ADOPT RESOLUTION NO. 2002-15.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Res. No. 2002-16

RESOLUTION 2002-16, A RESOLUTION TO INCREASE THE CITY CLERKS COMPENSATION: A Resolution increasing the City Clerk's salary by 5%.

Moved by Patronik, seconded by Shimp.

Motion: **TO ADOPT RESOLUTION 2002-16.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Adjournment

There being no further business, the meeting adjourned at 8:11 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____