



MINUTES
REGULAR CITY COUNCIL MEETING
DECEMBER 1, 2003, 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 1, 2003, at 7:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance

IN ATTENDANCE:

Vice Mayor James Gilbert
Councilor Harriet Pruette
Councilor Larry Shealy
Councilor John Weldon
City Attorney Christopher White
Interim City Manager & Public Safety Director William Brandt
Interim Assistant City Manager & City Clerk Lisa Volpe, CMC

ABSENT:

Mayor Richard A. Brown

STAFF:

Community Development Director Jason Cleghorn
Assistant to the City Manager Terry Klein
Assistant to the Building Official Piper Turner
Director of Finance Steve Ramsey
Director of Public Services Leon Smith
Deputy City Clerk Karla Strait, CMC

Order Call/Pledge

Vice Mayor Gilbert called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS / NONE

APPROVAL OF MINUTES

Motion: **TO APPROVE THE FOLLOWING MINUTES:**
NOVEMBER 3, 2003, REGULAR CITY COUNCIL MEETING
NOVEMBER 17, 2003, WORKSHOP CITY COUNCIL MEETING

Moved by Shealy, seconded by Pruette.

Roll Call Vote:

Ayes: 4 – Pruette, Shealy, Weldon, Gilbert
Noes: 0

Absent: 1 – Brown

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Councilor Pruette announced the annual Christmas in the Park would be held Friday, December 5th, and the Town Center Tree Lighting would be held Saturday, December 6th.

Vice Mayor Gilbert announced that Jacksonville City Councilman Art Graham was holding a Town Meeting Tuesday, December 2, 2003, at 7:00 p.m. at Fletcher High School to discuss traffic situations at the beach.

Councilor Shealy stated he had received calls from the resident on the corner of Florida Boulevard and Penman Road concerning noises. Chief Brandt replied the Public Safety Department was aware of the situation and it was currently under control.

CITY MANAGER REPORTS

City Yard Project CITY YARD PROJECT: Director of Public Safety Leon Smith reported the City Yard Project was moving along on schedule. The block walls were being erected, electric was being installed, and the trusses for the administration building were due to be delivered on December 11, 2003.

DART NOISE ORDINANCE – DART TEAM: Chief Brandt reported the DART Team had devised warning tickets for first offenses of the noise ordinance and violation tickets for the second offense. To date only warning tickets had been written. There had not been a need to write any violation tickets.

Junk Cars JUNK CAR ABANDON PROPERTY ORDINANCE: Assistant to the Building Official Piper Turner reported twenty-one vehicles had been tagged since the Junk Car Abandon Property Ordinance was enacted. Seventeen of the twenty-one were removed by the owners and four had to be towed away.

Land Use LAND USE REGULATIONS: Chief Brandt stated Community Development Director Jason Cleghorn was working on obtaining a CD from Ivy, Harris, & Walls that included the updated changes. It would be easier to make new changes once the CD was received. He felt Council should wait until Mr. Cleghorn received the CD and could provide the Council members with an updated hard copy before scheduling the Land Use Regulations Review meetings.

Discussion ensued regarding the process of the Land Use Review.

Consensus: **TO MEET THE MONDAY, JANUARY 12, 2004, TO REVIEW THE LAND DEVELOPMENT.**

Sewer Project SEWER IMPROVEMENT PROJECT: Chief Brandt stated the sewer project would be completed \$150,000 to \$200,000 under the budgeted amount. He recommended using the remainder of the money to inspect the area south of Florida Boulevard between Third Street and Fifth Streets.

Jim Miller, PBS&J, stated Kinsel Industries offered to clean and TV inspect the area South of Florida Boulevard between Third and Fifth Streets for \$41,670 in order to find out what work is needed. Approval from the Council was necessary in order to add the work to the Kinsel contract.

Moved by Shealy, seconded by Pruette.

Motion: **TO APPROVE EXPENDITURE OF \$41,670 TO KINSEL INDUSTRIES.**

Roll Call Vote:

Ayes: 4 – Pruette, Shealy, Weldon, Gilbert
Noes: 0
Absent: 1 – Brown

MOTION CARRIED

PUBLIC COMMENTS / NONE

CONSENT AGENDA

Beaches Resource Center, \$4,000 contribution
G.A.I. Consultants – Kings Road Bridge Engineering Services

Moved by Pruette, seconded by Weldon.

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

Roll Call Vote:

Ayes: 4 – Pruette, Shealy, Weldon, Gilbert
Noes: 0
Absent: 1 – Brown

MOTION CARRIED

VARIANCES / NONE

ORDINANCES

Ord. No. 2003-17

ORDINANCE NO. 2003-17, OPEN AIR SALES, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING SECTION 17-35 LOCATION OF OPEN AIR SALES AND MARKETS, SECTION 17-36 OPEN AIR MARKET AREA, SECTION 17-38, PERMIT AND PROVIDING AN EFFECTIVE DATE.

Vice Mayor Gilbert read Ordinance 2003-17 by title only and opened the public hearing.

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

Moved by Pruette, seconded by Weldon.

Motion: **TO ADOPT ORDINANCE NO. 2003-17 ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

Ayes: 4 – Pruette, Shealy, Weldon, Gilbert
Noes: 0
Absent: 1 – Brown

MOTION CARRIED

Ord. No. 2003-19

ORDINANCE NO. 2003-19, WIRELESS TELECOMMUNICATIONS FACILITY, FIRST

READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLOIRDA REGULATING THE SITING OF WIRELESS TELECOMMUNICATION FACILITY AND PROVIDING AN EFFECTIVE DATE.

Councilor Weldon agreed to sponsor Ordinance No. 2003-18. Fred Prickle, Gannett Fleming, explained some of the major points of the ordinance.

Moved by Pruette, seconded by Weldon.

Motion: **TO PASS ORDINANCE NO. 2003-19 ON FIRST READ.**

Roll Call Vote:

Ayes: 4 – Gilbert, Pruette, Shealy, Weldon

Noes: 0

Absent: 1 – Brown

MOTION CARRIED

OLD BUSINESS / NONE

NEW BUSINESS

Res. No. 2003-16

RESOLUTION NO. 2003-16: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA ALLOWING AN INTERIM APPLICATION PROCESS FOR THE ERECTION OF WIRELESS TELECOMMUNICATIONS FACILITIES.

Moved by Weldon, seconded by Pruette.

Motion: **TO APPROVE RESOLUTION 2003-16.**

Roll Call Vote:

Ayes: 4 – Pruette, Shealy, Weldon, Gilbert

Noes: 0

Absent: 1 – Brown

MOTION CARRIED

Res. No. 2003-17

RESOLUTION NO. 2003-17: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA ALLOWING WASTE SERVICES OF FLORIDA, INC. TO ASSUME THE CONTRACT OF BROWN FERRIS INDUSTRIES OF FLORIDA.

Moved by Shealy, seconded by Pruette.

Motion: **TO APPROVE RESOLUTION 2003-17.**

Roll Call Vote:

Ayes: 4 – Pruette, Shealy, Weldon, Gilbert

Noes: 0

Absent: 1 – Brown

MOTION CARRIED

Surplus Equip.

SURPLUS OF CITY EQUIPMENT: Surplus the following city equipment:

<u>Name</u>	<u>Make</u>	<u>Model</u>	<u>Serial #</u>
Police Vehicle	1999 Ford	Crown Victoria	2FAFP71W4XX172793
Police Vehicle	1998 Ford	Crown Victoria	2FAFP71W5WX177497

Ricoh Copier/Finance 1995 MV715 MIO

Moved by Weldon, seconded by Pruette.

Motion: **TO APPROVE THE SURPLUS OF ABOVE CITY EQUIPMENT.**

Roll Call Vote:

Ayes: 4 – Pruette, Shealy, Weldon, Gilbert

Noes: 0

Absent: 1 – Brown

MOTION CARRIED

Adjournment

There being no further business, the meeting adjourned at 7:34 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____