



MINUTES
WORKSHOP CITY COUNCIL MEETING
FEBRUARY 24, 2003 AT 7:00 P.M.
CITY HALL, 116 FIRST STREET
NEPTUNE BEACH, FLORIDA

Pursuant to proper notice a Workshop Meeting of the City Council of the City of Neptune Beach was held January 27, 2003 at 7:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance:

IN ATTENDANCE:

Mayor Richard A. Brown
Vice Mayor James Gilbert
Councilor Harriet Pruette
Councilor Larry Shealy
Councilor John Weldon
City Attorney Christopher White
City Manager Richard A. Linn

City Clerk Lisa Volpe, CMC
Director of Public Safety William Brandt
Director of Public Services Leon Smith
Assistant to the City Manager Terry Klein
Assistant to the Building Official Piper Turner
Deputy City Clerk Karla Strait, CMC

Call to Order/Roll Call Mayor Brown called the meeting to order at 7:00 p.m.

COMMITTEE REPORTS / NONE

IBBC ISH BRANT BEAUTIFICATION COMMITTEE: The committee was awaiting a proposal from a landscape architect for landscaping the area of the Mayport flyover. City Manager Linn inquired about using the county's tree mitigation funds for the proposed landscaping.

CITY MANAGERS PUNCH LIST

Bike Path BIKE PATH IMPROVEMENT: City Manager Linn stated there were concerns that the bike path was close to an open ditch. He would address the issue with the Florida Department of Transportation. Representative Don Davis had been asked to request the culvert continue on to the Mayport flyover. Council Pruette suggested having a split rail fence installed.

Utility Improvement Water UTILITY IMPROVEMENT PROJECT WATER: The water project was in the final stage. The contractor had started the pressure testing and paving. Jim Miller, PBS&J, stated the project should be complete by the middle of March pending clearance from the state.

Utility Improvement Sewer UTILITY IMPROVEMENT PROJECT SEWER: Jim Miller, PBS&J, stated the projected completion date for the sewer project was February 17, 2004.

Kings Rd. Bridge KINGS ROAD BRIDGE: The Kings Road Bridge would be discussed further into the meeting.

Underground UNDERGROUND TRASH CONTAINERS: The manufacturer was awaiting a purchase

- Containers order for the purchase of our large units before shipping the smaller ones for trade. Once the smaller containers were received they would be installed.
- Seawood Dr. CLEANING OF CITY RIGHT-OF WAY – SEAWOOD & LINCOLN: With the cooperation of the neighbors on Seawood Drive and Lincoln Road Director of Public Services Leon Smith had the right-of-way cleaned.
- City Hall A/C CITY HALL AIR CONDITIONING: City Manager Linn stated the air conditioning units on City Hall had to be replaced. He asked the Council to allow him to send out a Proposal for Bids for replacing the units. The cost would be funded through the contingency non-departmental line item.

PUBLIC COMMENTS

- Judy Bost, 115 Walnut Street, felt the current noise and parking ordinances should be enforced to control the problem of multiple unrelated persons living together in a single unit. She opposed permitting rental property.
- Dr. Bob Grovenstein, 411 Snapping Turtle Court East, Atlantic Beach, owner of rental property in Neptune Beach, felt permitting landlords was another layer of bureaucracy that was not needed. He opposed installing traffic islands on First Street.
- Wanda Sauls, 126 Cedar Street, was concerned large vehicles would not be able to get through First Street with the traffic islands. She felt stop signs would be sufficient for traffic calming on First Street and would be less expensive.
- Laura Johnson, 1062 Kings Road, felt an ordinance regulating unrelated persons living in a single unit would be difficult to enforce and would place too much responsibility on the landlords.
- Mike Disch, 118 Magnolia Street, favored traffic calming on First Street in any manner to discourage cruising.
- Fred DeSapio, 234 Florida Boulevard, felt there would be a problem with enforcing an ordinance regulating the number of unrelated persons living in a single unit. He also opposed rehiring Ivy, Harris and Walls for the continuance of the land development regulations.
- Marsha Coker, 206 Margaret Street, favored the ordinance limiting the number of unrelated persons living in a single unit. She stated the recently installed speed bumps on Margaret Street had slowed traffic.
- Lynda Padrta, 1113 First Street, commented an annual inspection by the city in Virginia saved her mothers life. She opposed rehiring Ivy, Harris, & Walls. She stated the residents east of Third Street wanted something done about the traffic on First Street.
- JoAnne Waddill, 115 Oleander Street, felt landlords caused the problem of too many unrelated people living together. She thought registering rentals was an excellent idea.
- Chris Chin, 227 Margaret Street, stated there was a problem on Margaret Street with too many people living in a single apartment and she would like to see something done. She felt landlords should take more responsibility for their tenants. She also favored installing traffic islands on First Street.

Geynell Mohr, 225 Margaret Street, stated, as a landlord she would not mind having her rental property inspected. She felt enforcing the current ordinances would help control too many unrelated people living together. She felt the absentee landlords were a big problem. She suggested placing stop signs at every block on First Street to help control cruising on First Street.

David Baker, 1102 First Street, stated that the speeding and illegal parking ordinances were not being enforced. He suggested posting a 20-mile per hour speed limit east of Third Street.

Laura Parham, 214 Bowles Street, felt that defining families would be too personal. She suggested allowing an exception in the ordinance for landlords who lived on their property.

Ben Rodriguez, 1224 Forest Oaks Drive, opposed the ordinance defining families and inspecting rental property.

Ray Corbin, 209 Bay Street, suggested adding partial speed bumps in lieu of stop signs to calm traffic on First Street. He felt that annual inspections of rental property were an invasion of privacy. He added that privately owned single-family homes could also have unrelated people living together. He suggested annual voluntary inspections.

Beth Schultz, 608 Valley Forge Drive North, favored an ordinance defining families. The home across the street from her had five unrelated people living in it.

Bonita Costner, 224 Margaret Street, favored an ordinance defining families. She stated nine people currently rented one unit on Margaret Street.

Teresa Thomas, 224 Margaret Street, thanked the Council for having the speed bumps installed on Margaret Street. She favored an ordinance to define families.

Recess/Reconvene

Mayor Brown called a recess at 8:35 p.m. the meeting reconvened at 8:45 p.m.

PROPOSED ORDINANCES

Ordinance
No. 2003-XX

ORDINANCE NO. 2003-XX, AMENDING SECTION 27-15 ADDING A DEFINITION OF "FAMILY" AND ADDING SECTION 27-333 RELATING TO LANDLORD PERMITS: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA RELATING TO DEFINING FAMILIES; REQUIRING RENTAL PERMITS; PROHIBITING OCCUPANCY OF FAMILY DWELLING UNITS BY UNRELATED PERSONS ABOVE A SPECIFIED NUMBER; PROVIDING PENALTIES AND VIOLATIONS; AMENDING SECTION 27-15 TO INCLUDE A DEFINITION OF "FAMILY"; ADDING SECTION 27-333 RELATING TO LANDLORD PERMITS AND PROVIDING AN EFFECTIVE DATE.

City Attorney Chris White stated there were two issues in the ordinance to consider. The first was to define "family"; the second issue was "landlord permits." He added the ordinance did not include or require annual inspections by the city.

Councilor Pruette stated the ordinance was not about city inspections and she opposed city inspections. The ordinance was to relieve residents from abuses caused by landlords who did not care.

The Council discussed how to define "family", what the maximum number of unrelated persons in one household should be, the cost of landlord permits, and how the ordinance

would be enforced.

Consensus: **ELIMINATE SECTION 1-12 A & B REGARDING PERMITTING REQUIREMENTS AND FORWARD TO THE MARCH REGULAR MEETING FOR FIRST READ.**

Councilor Weldon stated he wanted to bring back a separate ordinance on the landlord permitting issue.

Ordinance
No. 2003- XX

ORDINANCE NO. 2003-XX, AMENDING SECTION 15.5, 15.6, AND 15.7, REGULATING SOLICITING OR BEGGING ON PUBLIC PROPERTY: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING SECTION 15 ADDING SECTIONS 15.5, 15.6, AND 15.7 AND PROVIDING AN EFFECTIVE DATE.

Director of Public Safety William Brandt stated the purpose of the ordinance was to control aggressive panhandling and collectors for charities in medians.

Vice Mayor Gilbert agreed to sponsor the ordinance.

Consensus: **FORWARD TO THE MARCH REGULAR MEETING FOR FIRST READ.**

Ordinance
No. 2003- XX

ORDINANCE NO. 2003-XX, AMENDING SECTION 27-71 TO CHANGE THE AMOUNT OF THE CHAPTER F.S., CH. 175 TAX ON INSURANCE COMPANIES: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING ARTICLE III PROPERTY INSURANCE TAX SECTION 21-71, ESTABLISHING PERCENTAGE BY STATE STATUTES AND PROVIDING AN EFFECTIVE DATE.

City Manager Linn asked to table the ordinance because it was not ready.

Consensus: **TABLE THE ORDINANCE UNTIL READY.**

CONTRACTS / AGREEMENTS

Ivy, Harris, & Walls

CONTRACT WITH IVY, HARRIS, & WALLS – CONTINUE REVIEWING LAND DEVELOPMENT REGULATIONS: City Manager Linn stated Ivy, Harris & Walls agreed to complete the Land Development Regulations for \$9,400. The cost would include five meetings and the legal review. Mr. Linn added the \$9,400 was not budgeted and would come out of the contingency fund.

Councilor Pruette felt the completion of the Land Development Regulations should be put on hold until the money was budgeted. She asked to be shown where the code was broken and how it was being cleaned up.

Councilor Shealy stated \$40,000 had already been spent on the project. He supported moving forward with the contract. Councilor Weldon, Vice Mayor Gilbert, and Mayor Brown also supported moving forward.

City Manager Linn stated a meeting on Land Development Regulations was scheduled for March 10, 2003. Ivy, Harris, & Walls would need to provide the document for the meeting. He asked for a consensus to move the contract to the March regular meeting for a vote.

Consensus: **RESCHEDULE THE LAND DEVELOPMENT REVIEW MEETING FROM MARCH 10, TO MARCH 24, 2003.**

Consensus: **FORWARD TO THE MARCH REGULAR MEETING FOR A VOTE.**

Pitman & Hartenstein

CONTRACT WITH PITMAN & HARTENSTEIN – KINGS ROAD BRIDGE REPAIR DESIGN: City Manager Linn received two proposals from Pitman & Hartenstein to design the repairs of the Kings Road bridge, one for \$35,575 would allow for future expansion, and the second for \$150,585 to completely replace the bridge.

Councilor Weldon thought the proposals were extremely high. He suggested receiving competitive bids. He felt patching the problem was a lack of foresight and the work and money invested in the project now should be recovered when the time came to expand the bridge.

Councilor Shealy suggested asking the City of Jacksonville Beach for financial assistance because Jacksonville Beach residents had to access their property through the Kings Road bridge.

Councilor Gilbert agreed Jacksonville Beach received benefits from the bridge and Neptune Beach should not bear the full burden.

Councilor Pruette agreed it would benefit the citizens of Jacksonville Beach as well as Neptune Beach.

City Manager Linn stated Jacksonville Beach viewed the bridge as being located in Neptune Beach. It was the same as Neptune Beach residents driving over a bridge in Jacksonville Beach.

Councilor Weldon asked Mayor Brown to speak with Mayor Marsden regarding sharing some of the cost of the bridge repairs. He added access could also be opened though Jacksonville Beach.

City Manager Linn stated the city was at a disadvantage to renegotiate the contract because a contract was already in place. He recommended moving forward with the contract that was already in place. The Better Jacksonville funds would be used.

Consensus: **NOT TO MOVE FORWARD WITH THE ANY ADDITIONAL CHANGES TO THE CONTRACT AT THIS TIME. TO HAVE MAYOR BROWN TALK TO MAYOR MARSDEN AND CITY MANAGER LINN TALK TO PITMAN HARTENSTIEN.**

ISSUE DEVELOPMENT

First Street

TRAFFIC CALMING ISLANDS AND STOP SIGNS ON FIRST STREET: The traffic study, which was completed several years ago proposed traffic calming islands to be placed at selected intersections on First Street. There was now concern over large vehicles maneuvering around the islands.

Councilor Gilbert stated he preferred having stop signs installed at every intersection with the exception of one traffic-calming island at Florida Boulevard.

Councilor Pruette agreed with Councilor Gilbert. She asked if the city could get a change order for a refund of the cost of the islands.

Mr. Miller, PBS&J, responded the cost of \$20,000 for the traffic calming islands was a line item in the contract and a change order could be done for a refund.

City Manager Linn stated at the time of the traffic study the Council preferred the traffic calming islands to speed bumps on First Street. Mr. Linn recommended stop signs at

every intersection in lieu of traffic calming islands.

Discussion continued about traffic and parking on First Street.

Councilor Weldon stated if stop signs were installed at every intersection on First Street they would need to be installed at every intersection on Second Street to avoid diverting the traffic to Second.

Councilor Shealy stated experts recommended the traffic calming islands and he was not ready to abandon them.

City Manager Linn asked Council for a consensus to install the stop signs immediately.

Councilor Weldon suggested a 30-day waiting period to allow time for public input.

City Manager Linn stated he would have to order the stop signs and it would take a few weeks for delivery. He asked Council to make a decision on the traffic calming islands so he could initiate the change order as soon as possible. He added the islands could always be added at a later date.

Consensus: **TO PLACE STOP SIGNS AT ALL INTERSECTIONS ON FIRST STREET AND SECOND STREET AND TABLE THE TRAFFIC CALMING ISLANDS.**

Adjournment

There being no further business, the meeting adjourned at 10:55 p.m.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____