



MINUTES
REGULAR CITY COUNCIL MEETING
MARCH 3, 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 March 3, 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	City Clerk Lisa Volpe, CMC
Vice Mayor Jimmy Gilbert	Director of Public Services Leon Smith
Councilor Harriet Pruette	Building Official Dan Arlington
Councilor Larry Shealy	Assistant to the City Manager Terry Klein
Councilor John Weldon	Deputy City Clerk Karla Strait, CMC
City Attorney Christopher A. White	
City Manager Richard A. Linn	

Order Call/Pledge

Mayor Brown called the meeting to order at 7:00 p.m. and asked Councilor Shealy to lead the pledge of allegiance.

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS / NONE

APPROVAL OF MINUTES

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

Amendment: **AMEND PAGE 1 OF THE FEBRUARY 10, 2003, MINUTES TO READ "PROTECT THE COMMUNITY" IN LIEU OF "PROTECT AND ENCOURAGE DEVELOPMENT":**

JANUARY 27, 2003, WORKSHOP CITY COUNCIL MEETING
FEBRUARY 3, 2003, REGULAR CITY COUNCIL MEETING
FEBRUARY 10, 2003, LAND DEVELOPMENT REGULATIONS

Moved by Pruette, seconded by Weldon.

Roll Call Vote:

Ayes: 5 – Gilbert, Pruette, Shealy, Weldon, Brown
 Noes: 0

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Mayor Brown spoke with Mayor Marsden of Jacksonville Beach and suggested their city officials and staff meet with our city officials at the Kings Road Bridge to look at the benefits of expanding the sheet piling to accommodate a wider bridge in the future.

Councilor Weldon questioned the number of homes on the south side of the Kings Road bridge. City Manager Linn replied 29 of the 71 homes were in Jacksonville Beach.

Mayor Brown stated the St. Johns River Water Management District would be holding a meeting on Seawater Demineralization on March 18, 2003 in Deland, Florida. He questioned if Neptune Beach would like to be represented at the meeting.

Councilor Pruette heard complaints of permits taking a long time to process. She questioned how permits were issued when the building official was absent. City Manager Linn responded the statutory requirement for a permit was 30 days. The building official usually had the permits up to date before leaving town. If it was urgent it could be contracted out to Atlantic Beach.

Councilor Shealy stated the residents of Florida Boulevard heard about the speed bumps recently installed on Margaret Street. The residents of Florida Boulevard residents filed the proper paperwork with the city managers office and were still awaiting the installation of speed bumps. He asked the city manager to place the issue on the March workshop meeting.

CITY MANAGER REPORTS

- Water Project WATER UTILITY PROJECT: The original completion date for the water project was March 13, 2003. There would be days added to that date for the rain days that were missed. There was also a change order granted by the city to the contractor for additional money and 24 days on the Penman Road crossing. There was another change order for the stub out granting 2 additional days to the project.
- Councilor Pruette asked City Manager Linn to look into the standing puddles in streets where paving was completed.
- Sewer Project SEWER UTILITY PROJECT: The contractor started the pipe bursting on portions of First Street and east west streets. The sewer line connections would be made the same day as the pipe bursting. When the patching was done they would be completely finished with that block.
- Public Works Facility PUBLIC WORKS FACILITY: The drawings for the new public works facility were received and ready for review. The architect would be invited to the March workshop meeting to review the plans with the Council.
- Kings Road Bridge KINGS ROAD BRIDGE REPAIRS: The 90% drawings for the Kings Road bridge repair were ready for review. City Manager Linn would set a meeting date for the engineer to brief council on the plans. He left a message for Vice President Scott Jones asking him if the price of the change order to expand the work could be reduced.

PUBLIC COMMENTS

Virginia Cauthon, 617 Valley Forge Road North, favored Ordinance No. 2003-02. She lived next door to a house that was leased by five unrelated people.

Jim Schultz, 608 Valley Forge Road North, favored Ordinance No. 2003-02. He lived

across the street from a house that was leased by five unrelated people.

Judy Bost, 115 Walnut Street, favored Ordinance No. 2003-02; she also supported annual city inspections if it would benefit the landlords. She added the ordinance for "no short term rentals" needed to be addressed and enforced.

Lynda Padrta, 1113 First Street, asked about a sewer project schedule. She favored Ordinance No. 2003-02 and would also support permits. She questioned the weight limit of the Kings Road bridge.

Ronda McDonald, 515 Third Street, stated current ordinances should be enforced without having to limit the number of unrelated people living in a single unit.

CONSENT AGENDA

Ivy, Harris, & Walls

APPROVAL OF IVY, HARRIS & WALLS CONTRACT FOR \$9,400: The contract was to complete the Land Development Regulation Review and included five council meetings and the legal review.

Moved by Shealy, seconded by Weldon.

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

Roll Call Vote:

Ayes: 5 – Gilbert, Pruette, Shealy, Weldon, Brown

Noes: 0

MOTION CARRIED

VARIANCES / NONE

ORDINANCES

Ord. No. 2003-02

ORDINANCE NO. 2003-02 – FIRST READ – SPONSOR COUNCILOR PRUETTE: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA RELATING TO DEFINING FAMILIES; 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 PROHIBITED ACTIVITIES; AND PROVIDING AN EFFECTIVE DATE.

Councilor Weldon stated without permitting rental properties it would be difficult to enforce the ordinance because there would be no means of tracking violations. He added he would not support annual inspections.

Councilor Pruette asked City Attorney White if the ordinance would be a problem to enforce. Mr. White replied if there were any problems it would be enforcement.

Vice Mayor Gilbert stated he would support a landlord registration.

Councilor Shealy suggested placing the issue of landlord registration on the March workshop meeting for discussion.

Council asked City Attorney White to draft an ordinance requiring landlord registration for the March workshop meeting.

Moved by Gilbert, seconded by Pruette.

Motion: **TO PASS ORDINANCE NO. 2003-02 ON FIRST READ.**

Roll Call Vote:

Ayes: 5 – Gilbert, Pruette, Shealy, Weldon, Brown

Noes: 0

MOTION CARRIED

Ord. No. 2003-03

ORDINANCE NO. 2003-03 – FIRST READ; SPONSOR – VICE MAYOR GILBERT: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING SECTION 15 PEDDLERS AND SOLICITORS AMENDING SECTION 15-1 AND ADDING SECTIONS 15-5, 15-6, AND 15-7 AND PROVIDING AN EFFECTIVE DATE.

City Attorney White stated the underlined portions in Section 15.1 were new definitions that were inserted after the workshop meeting.

Councilor Weldon stated Section 15.7 (b) of the ordinance read: “No person shall stand or be upon or go upon any roadway for the purpose of soliciting a ride.” He questioned if hitchhiking was currently illegal.

City Manager Linn responded he was not aware of a local law that prohibited hitchhiking.

City Attorney White stated the language of the ordinance would make hitchhiking an infraction.

Councilor Weldon suggested striking the language “the purpose of soliciting a ride”.

Moved by Gilbert, seconded by Shealy.

Motion: **TO PASS ORDINANCE NO. 2003-03 ON FIRST READ AND FORWARD TO THE MARCH WORKSHOP MEETING FOR FURTHER DISCUSSION REGARDING SOLICITING OF RIDES.**

Roll Call Vote:

Ayes: 5 – Gilbert, Pruette, Shealy, Weldon, Brown

Noes: 0

MOTION CARRIED

OLD BUSINESS / NONE

NEW BUSINESS / NONE

Adjournment

There being no further business, the meeting adjourned at 7:51 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____