



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**APRIL 21, 2003, AT 7:05 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 April 21, 2003 at 7:05 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 Services Leon Smith  
Director of Finance Steve Ramsey  
Assistant to the City Manager Terry Klein  
Deputy City Clerk Karla Strait, CMC

Call to Order/Roll Call

Mayor Brown called the meeting to order at 7:05 p.m.

**COMMITTEE REPORTS**

IBBC

ISH BRANT BEAUTIFICATION COMMITTEE: The Ish Brant Beautification Committee was back on their semi-monthly meeting schedule. The committee was currently working on an application for a grant from the Jacksonville's Mayor Office Neighborhood Program, \$5,000 for improvements at Stevens Park. Also following up on a request from the state representative's office for a project to complete the culvert along Florida Boulevard. The Seagate Avenue and First Street beautification project was completed. The committee also continued the Yard of the Month program.

Councilor Pruette stated she would like to see some beautification and clean up around the water plant in Jarboe Park. She added she would like to place the disposal of the manholes in Jarboe Park on the punch list. City Manager Linn replied he was working with Director of Public Services Leon Smith to hire a crane to have them removed and find a way to dispose of them. He added at one time landscaping was planned for the fence around the water plant but after September 11<sup>th</sup> decided against it for security reasons.

Councilor Gilbert asked City Manager Linn to make sure that the west side of Florida Boulevard was still on the committee's agenda. City Manager Linn responded that was part of the project for the culverts on Florida Boulevard.

**CITY MANAGERS PUNCH LIST**

Bike Path

FLORIDA BOULEVARD BIKE PATH IMPROVEMENT: The Bike Path was complete and would be removed from the punch list. The city lowered the fence that was constructed by

the Florida Department of Transportation after receiving criticism from citizens.

- Kings Rd. Bridge**      **KINGS ROAD BRIDGE:** The purchase authorization was issued for the stringer repair. Director of Public Works Leon Smith stated it would take 6 weeks to receive the material. City Manager Linn received the estimates from Pittman & Hartenstien for the various options of repairs on the Kings Road bridge.
- Underground Containers**      **UNDERGROUND CONTAINERS:** Mr. Linn stated the underground containers had been shipped to Toronto, Canada and he was awaiting the arrival of the smaller containers for the beach accesses.
- Utility Improvement Water**      **WATER IMPROVEMENT PROJECT:** Councilor Weldon stated the project was behind schedule. City Manager Linn replied the contractor would soon be into the liquidated damage clause. Councilor Weldon voiced concern about oceanfront homes not being connected to the new water system. City Manager Linn stated the project never included replacing the main lines on Strand and Oceanfront. Due to the risk of structural damage to homes they were being connected on a case-by-case basis.
- Utility Improvement Sewer**      **SEWER IMPROVEMENT PROJECT:** The sewer project was moving along on schedule. Some palm trees on First Street had slowed down the work a little. Their roots had grown around the 6" pipe. The contractor has had to jet spray the roots loose from the old pipe. Some palm trees may be lost.
- Public Services Facility**      **PUBLIC WORKS FACILITY:** City Manager Linn stated the pre-qualifying proposal was advertised and a short list of qualified contractors would be selected to bid the project.
- Jose Perez, PQH Architects, stated he had met with the surrounding neighbors of the facility on the initial design. He went back to the drawing board and accommodated their wishes and desires. He presented and explained the new design to the Council. The request for qualifications was due on May 8<sup>th</sup> and a short list would be selected. The general contractor would be selected on May 26<sup>th</sup>. City Council would then review and approve the agreement. Construction was planned to start August 11<sup>th</sup> and the project would be completed no later than July 2004. The budget for the project was 2.1 million. The contractors would be invited to suggest options and ways to lower the cost.
- City Manager Contract**      **CITY MANAGER EMPLOYMENT CONTRACT:** Councilor Shealy questioned why the approval of the City Manager's employment contract was not on the April regular meeting agenda. City Manager Linn replied the City Attorney was preparing the agreement and it would be placed on the May regular meeting agenda.

#### **PUBLIC COMMENTS**

Mike Disch, 118 Magnolia Street, stated the problem was unruly behavior not people living together.

R. V. Kovacs, 912 First Street, had problems with unruly neighbors and a difficult time getting police to respond. He added without police patrol on a regular basis people living on First Street would never be able to sleep.

Mary Ann Padrta, 1030 Second Street, stated she had problems with the neighbors living in the 900 block of First Street, hanging out on the balcony, playing football in the street, and using First Street as their private playground.

Rae Brady, 1636 Sea Oats Drive, questioned how it would be determined if people were living together or visiting. She also questioned the definition of "occupying" and how often landlords would have to register.

Fred Cattar, 100 Walnut Street, felt the city regulating property would not solve the problem of noisy and unruly neighbors. As an area realtor and member of the Northeast Florida Association of Realtors, he stated the association was strongly against the ordinance.

Kelley Strong, 2031 Marye Brant Loop South, felt rental properties were a form of business and landlords should register their business.

Beth Schultz, 608 Valley Forge Road North, questioned when the landlord registration would go into effect if adopted.

Lynda Padrta, 1113 First Street, favored limiting the number of unrelated persons living together to four. She added that occupational licenses were necessary for the operation of businesses in the city and landlords should be required to register.

Geynell Mohr, 225 Margaret Street, favored the ordinances limiting the number of unrelated persons living together and landlord registration.

Shirley Myers, 1001 Florida Boulevard, opposed landlord registration and felt the number of unrelated persons living together should be based on the size of property and number of legal parking spaces.

Chris Chin, 227-A Margaret Street, stated other cities had ordinances defining "family" and cited a few. She also felt rental properties should be considered a business.

Bonita Costner, 224 Margaret Street, felt there should be some kind of limitation and monitoring on rental properties.

Teresa Thomas, 224 Margaret Street, stated she no longer felt safe living in Neptune Beach and others were moving out. She favored passing the ordinance.

### **PROPOSED ORDINANCES**

Ord. No. 2003-XX

**ORDINANCE NO. 2003-XX, PROPERTY INSURANCE TAX: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING ARTICLE III PROPERTY INSURANCE TAX SECTION 21-71, AND DELETING SECTION 21-73, ESTABLISHING PERCENTAGE BY STATE STATUTES AND PROVIDING AN EFFECTIVE DATE.**

City Manager Linn explained this ordinance resulted from the City of Jacksonville providing fire service to the City of Neptune Beach. The ordinance allowed the 2% of the property insurance tax collected by the state to be deposited in the City of Jacksonville's Fireman Pension Fund. The ordinance also changed the amount from 2% to the state mandated 1.92%.

Councilor Shealy agreed to sponsor the ordinance.

Consensus: **TO MOVE APPROVAL OF THE INTERLOCAL AGREEMENT TO THE MAY CONSENT AGENDA AND FORWARD THE ORDINANCE TO THE MAY REGULAR MEETING FOR FIRST READ.**

Recess/Reconvene

The meeting recessed at 8:40 p.m. and reconvened at 8:50 p.m.

Kings Road  
Speed Bumps

**KINGS ROAD SPEED BUMPS – PUBLIC HEARING:** Mayor Brown opened the public hearing for the proposed speed bumps on Kings Road between Florida Boulevard and Forest Avenue.

Jamie Holway, 1129 Kings Road, stated Kings Road between Florida Boulevard and Forest Avenue did not have any stop signs. He added the cars speeded up to 45 mph. He was concerned about safety of children waiting on the school buses.

Robert Wood, 2000 Sandpiper Point, opposed speed bumps on Kings Road. He did not feel that speed bumps controlled speeding. He suggested stop signs, and more police patrol would reduce speeding.

Michelle McCullogh, 1601 Forest Avenue, opposed speed bumps on Kings Road and suggested more police patrol. She added that speed bumps penalized law-abiding citizens.

Brad Duttera, 2026 Cherokee Drive, opposed speed bumps on Kings Road. He suggested adding police presence to solve the problem.

Bill Fogg, 1207 Big Tree Road, opposed speed bumps on Kings Road. He suggested stop signs and police enforcement to help the problem.

Tim Kazmierczak, 2102 Acacia Road, opposed speed bumps on Kings Road. He added speed bumps would wear on cars and delay emergency services.

Kenneth Shubow, 1908 Strickland Road, opposed speed bumps on Kings Road. He felt the bumps would be hard to see and create more problems.

Lester Sanders, 2025 Marye Brant Loop North, opposed speed bumps on Kings Road. He felt other alternative should be explored. He added that Atlantic Beach was eliminating all the speed bumps in the city.

Patricia Sena, 1113 Hamlet Lane East, opposed speed bumps on Kings Road adding that more speed limit signs, watch for children signs, crosswalks, and stop signs were other alternatives.

Ron Powell, 1830 Nightfall Drive, opposed speed bumps on any section of Kings Road because it was a thoroughfare not a dead end street.

Michael Little, 1107 Kings Road, opposed speed bumps on Kings Road. He felt stop signs would be a better solution.

Terri Hunnewell, 1219 Trailwood Drive, opposed speed bumps on Kings Road. She added that crosswalks, caution children signs, and more police presence would be good solutions.

Jim O'steen, 1135 Kings Road, opposed speed bumps on Kings Road. He suggested more police presence to help identify the daily speeders.

Pete Kalleres, 1707 Forest Avenue, opposed speed bumps on Kings Road.

Ord. No. 2003-02

ORDINANCE NO. 2003-02, DEFINING FAMILIES: 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 A FAMILY; ADDING SECTION 27-333 RELATING TO PROHIBITED ACTIVITIES AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown voiced concern about the effective date of the ordinance if it was passed and how to notify the public. He added the ordinance was amended at the last council meeting to limit the number of unrelated persons to 4 in lieu of 3.

Councilor Shealy was concerned about enforcement of the ordinance. He felt there was a problem with enforcement. He questioned the two million dollar budget for the police department and wanted to see where the dollars were going. He felt the noise, parking, and speeding problems should be enforced.

Councilor Gilbert agreed with Councilor Shealy adding there should be laws that can be enforced. He felt the tools to enforce the laws should be there. He ask to see just how many complaints there would be if all the laws about speeding, riding bikes, partying at night were enforced with zero tolerance for 30 days.

Councilor Weldon was satisfied with the ordinance the way it was written.

Councilor Pruette stated the citizens were basically complaining about the lack of enforcement. She added it was the City Manager's responsibility to enforce the Code and the enforcement should be stepped up.

Consensus: **FORWARD TO THE MAY REGULAR MEETING FOR SECOND READ AND PUBLIC HEARING.**

Councilor Pruette asked City Manager Linn to go through the codes and inform the council of the parts that needed to be enforced.

City Manager Linn stated the Police Chief supported the ordinance as a tool to enforce rowdy behavior in some locations. He encouraged the council to pass the ordinance as it was written. The Code Enforcement Board would enforce the ordinance with evidence of a violation. He added other communities had similar ordinances.

Councilor Shealy asked why the Chief was not present at the council meetings. City Manager Linn replied he did not require a department head presence at the council meetings unless there was a matter pending within that particular department. Councilor Weldon stated all department heads or a representative for them should be present at all council meetings.

Ord. No. 2003-04

**ORDINANCE NO. 2003-04, LANDLORD REGISTRATION: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA RELATING TO LANDLORD REGISTRATION; PROHIBITING OCCUPANCY OF FAMILY DWELLING UNITS BY UNRELATED PERSONS ABOVE A SPECIFIED NUMBER; PROVIDING PENALTIES AND VIOLATIONS; ADDING SECTION 27-334 RELATING TO PROHIBITED ACTIVITES AND PROVIDING AN EFFECTIVE DATE.**

Mayor Brown stated rental properties could be identified through the property appraisers office.

Councilor Gilbert stated he would not be opposed to the ordinance if it was a one-time registration for landlords with no fees and no permits required.

Councilor Pruette stated she was satisfied with defining "family" and limiting the number of unrelated persons living together to four. She felt that was all that was needed at this point and registering landlords would not work.

Councilor Gilbert stated the ordinance was not perfect but it was a good starting point.

Councilor Weldon felt registering landlords should be an annual event and permitting should be required.

Discussion followed regarding how to enforce to the ordinance.

Following the discussion Councilor Weldon withdrew the Ordinance.

#### ORDINANCE WITHDRAWN

### CONTRACTS / AGREEMENTS

City Yard Project UPDATE OF CITY YARD PROJECT – JOSE PEREZ, PQH: Mr. Perez gave his presentation earlier in the meeting. There was no consensus.

### ISSUE DEVELOPMENT

Public School Facility Planning INTERLOCAL AGREEMENT – PUBLIC SCHOOL FACILITY PLANNING: City Manager Linn explained last year the legislature past a statute whereby school boards were to be represented by local municipal planning agencies. Mr. Linn suggested tabling the agreement until the School Board and the City of Jacksonville acted on the agreement.

Consensus: TO TABLE APPROVAL OF THE AGREEMENT.

Kings Rd. Speed Bumps KINGS ROAD SPEED BUMPS: Mayor Brown felt the speed bump policy needed to be reviewed. After listening to the request of the public the council decided not to install speed bumps on Kings Road.

Consensus: TO NOT INSTALL SPEED BUMPS ON KINGS ROAD AND ADD MORE POLICE PATROL, AND CITY MANAGER TO INVESTIGATE CROSSWALKS.

Welcome Sign WELCOME SIGN – CITY MANAGER RICHARD LINN: The City of Atlantic Beach and the City of Neptune Beach jointly funded an effort for the design of a welcome sign to be placed at the entrance of the city by the Mayport flyover. The design was presented to the council. If approved the cost of the sign would be shared equally between the City of Atlantic Beach and the City of Neptune Beach and built into the budget next year. The sign would have to be approved by the Florida Department of Transportation.

Discussion ensued relating to the cost of landscaping and maintenance and which city would provide it.

Councilor Weldon made a request to look into other designs.

Consensus: TO REPORT BACK THAT THE ISSUE WAS NOT DEAD BUT THEY DID NOT LIKE THE CONCEPT AND WOULD LIKE FOR THEM TO EXPLORE A LITTLE MORE.

Financial Update FINANCIAL UPDATE FY 2003 – DIRECTOR OF FINANCE STEVE RAMSEY: Director of Finance Steve Ramsey updated the council on the current status of the budget for the 2003 fiscal year. Revenues and expenditures were right at the 50% mark and overall right on budget.

### OPEN DISCUSSION

Councilor Weldon questioned the status of the Land Development Regulations Review. City Clerk Volpe replied she would contact Gary Dickens this week.

Councilor Shealy questioned the legality of the flashing sign at Solantic. City Manager Linn replied the issue would be going before the Code Enforcement Board for action.

Councilor Gilbert suggested a review of the sign ordinance and perhaps moving toward more monumental type signs.

Adjournment

There being no further business, the meeting adjourned at 10:40 p.m.

---

Richard A. Brown, Mayor

Attest:

---

Lisa Volpe, CMC, City Clerk

Approved: \_\_\_\_\_