



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**SEPTEMBER 15, 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 September 15, 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 John Weldon  
Interim City Manager & Public Safety Director William Brandt  
Interim Assistant City Manager & City Clerk Lisa Volpe, CMC

ABSENT:

Councilor Larry Shealy  
City Attorney Christopher White

STAFF:

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

Call to Order/Roll Call

Mayor Brown called the meeting to order at 7:00 p.m.

NEPTUNE BEACH ELEMENTARY FIELD: Sherry Nicholson, representative for Neptune Beach Elementary School, was concerned that the track & field behind the school were in bad condition and in need of improvements. She inquired as to who was responsible for the maintenance of the property. She felt the improvements could be made through the use of grants and foundations. She asked if the city would be able to contribute through the Bed Tax Fund, which could be used for recreational purposes.

Vice Mayor Gilbert asked Mrs. Nicholson if she had cost estimates for the improvements. Mrs. Nicholson replied she had an estimate from James Newman of \$94,000.

Director of Finance Steve Ramsey replied the bed tax amounted to \$13,000 or \$14,000 per year and was to be used for the purpose of recreation. There was currently \$40,000 in the account. Mr. Ramsey added that the funds could only be used on city owned property and the city leased the property from the Duval County School Board.

Councilor Weldon supported making improvements to the field but wanted to understand the School Board's responsibility before allocating any funding.

Councilor Pruette supported the improvements. She felt the city could take care of the cleaning up the trash. She asked if the school board had been contacted about the weeds, ants, and condition of the track. Mrs. Nicholson replied she had not contacted the school board.

Mayor Brown stated the city would look into the lease agreement and the background of the maintenance.

Councilor Weldon asked Chief Brandt to assign someone from the staff to assist Mrs. Nicholson and have that person report back to the council.

### **COMMITTEE REPORTS**

Volkert & Assoc.

VOLKERT & ASSOCIATES: Jerry Dabkowski, P.E. and Angelo Rao P.E., representatives from Volkert & Associates, gave a presentation on various traffic calming devices. They could evaluate traffic calming on every street to be resurfaced in the city for less than \$5,000. To include an evaluation of the signs would cost a total of approximately \$8,000 to \$9,000.

Discussion ensued regarding stop signs, speed humps and which streets were to be resurfaced.

Mayor Brown stated he would like to place the issue back in the hands of staff and place it on next Monday's meeting agenda.

Consensus: **PLACE IN THE HANDS OF STAFF AND ADD TO NEXT WEEK'S AGENDA.**

### **CITY MANAGERS PUNCH LIST**

Kings Rd. Bridge

KINGS ROAD BRIDGE: Interim City Manager Chief Brandt asked for direction on the Kings Road Bridge. Councilor Weldon stated the council came to a consensus to rebid the project. City Clerk Lisa Volpe stated she needed a scope of work in order to advertise the request for proposals.

Hopkins Creek

HOPKINS CREEK: City Attorney White sent a public records request to the Florida Department of Transportation for records relating to the Hopkins Creek drainage project. Mayor Brown stated a resolution was sent out to the FDOT addressing the Council's position on the project.

### **PUBLIC COMMENTS**

Mary Ann Padrta, 1030 Second Street, felt the city should not pay for Mr. Linn to attend the City Manager's Conference in North Carolina because it would not benefit the city. She presented a letter from Lynda Padrta with recommendations for hiring a new city manager.

### **PROPOSED ORDINANCES**

Ord. No. 2001-08

ORDINANCE NO. 2001-08, ACCESSORY BUILDINGS – COUNCILOR PRUETTE: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING SECTION 17-32, DEFINITIONS: AMENDING SECTION 27-328(3) AND 27-328(4) ACCESSORY BUILDINGS AND ADDING SECTION 27-238(A)(5), 27-328(A)(6) AND SECTION 27-(A)(7).

Councilor Pruette felt the ordinance needed to be updated to allow detached garages in front yards. City Attorney Chris White advised her the ordinance should either be left alone having

the property owners continue to seek a variance or change the ordinance to allow detached garages with conditions and restrictions.

Mr. White further advised if detached garages were allowed in front yards on a case-by-case basis the city could face lawsuits.

Vice Mayor Gilbert stated he did not mind if detached garages were allowed in front yards if they were one story and behind the building restriction line.

Councilor Weldon questioned why the previous Council adopted Ordinance No. 2001-08 not allowing detached garages in front yards. Vice Mayor Gilbert replied the Council was trying to avoid allowing garage apartments. Councilor Weldon was concerned that new construction plans may request detached garages in the front yard and felt the issue should be considered in the Land Development Regulations revisions.

Councilor Pruette suggested informing the Board of Appeals that it was not the intent of the Council not allow detached garages in front yards at all. Councilor Weldon did not want to encourage the Board of Appeals to violate the Ordinance. The Board needed to follow the Ordinance until it was changed.

### CONTRACTS / AGREEMENTS

Sea & Sky Spectacular SEA & SKY SPECTACULAR INTERLOCAL AGREEMENT: Mayor Brown stated the Sea & Sky Spectacular would be held at the beaches this year. The beach cities each contributed \$10,000 for the event in 2001 and were asked to contribute \$10,000 again this year.

Director of Finance Steve Ramsey stated part of the \$10,000 would come from the Cable T.V. Fund and part from the King Neptune Fund.

Councilor Weldon questioned how the show would benefit Neptune Beach. Mayor Brown replied there was the feeling of unity in supporting a major event that was well received by the public and the Neptune Beach residents enjoyed the event. Vice Mayor Gilbert agreed the event was family oriented and benefited the city as a whole.

Councilor Pruette stated in 2001 the \$10,000 contribution was a one-time contribution. City Clerk Volpe replied in 2001 the contribution was placed on the consent agenda and approved. During the discussion at the workshop meeting Vice Mayor Shimp stated on the record that the \$10,000 would be a one-time contribution only, however, the majority of the council did not agree.

Consensus: FORWARD TO THE OCTOBER REGULAR MEETING CONSENT AGENDA.

Recess/Reconvene Mayor Brown called a recess at 8:45 p.m. The meeting reconvened at 8:56 p.m.

### ISSUE DEVELOPMENT

Variance Appeals VARIANCE APPEAL PROCESS: Vice Mayor Gilbert felt non-conformities that were grandfathered into the original footprint should not be considered by the Board of Appeals. Only those non-conformities that were allowed by a previous variance should be considered. He asked Community Development Director Jason Cleghorn to speak to the Council about the benefits of creating an overlay district.

Community Director Jason Cleghorn stated there was a distinction between the community east of Third Street and west of Third Street. Creating an overlay district would reclassify the property east of Third Street and make the lots become conforming. He also explained the benefits of administrative variances.

Councilor Gilbert suggested that once the Board of Appeals denied a variance it should be appealed to the Circuit Court and not to the City Council.

Councilor Weldon stated there were already overlay districts in the community. The real issue was the Council's roll in reviewing decisions made by the Board of Appeals. He agreed appeals should be handled through the circuit court.

Mayor Brown felt there should be some level of flexibility in variances and the whole process needed to be reviewed.

Councilor Pruette stated in the past the procedure for an appeal to the council did not state the errors of the Board as was required.

City Clerk Volpe stated she had created a new form for appeals applicants to fill out that required applicants to state the specific error.

Water Plant  
Landscaping

LANDSCAPING OF THE WATER PLANT: Mayor Brown asked Director of Public Services Leon Smith if he could landscape around the chain link fence at the water plant.

Director of Public Services Leon Smith felt landscaping would not completely hide the chain link fence. He recommended a privacy fence with columns similar to the one surrounding the water plant in Jacksonville Beach. He provided photographs of the fence to the Council.

Councilor Weldon added the lift station on the corner of Florida Boulevard and Third Street was also an eyesore and suggested placing a fence around it as well.

Consensus: **PUBLIC SERVICES DIRECTOR LEON SMITH TO GET PROPOSALS ON THE FENCE AND REPORT BACK.**

City Manager Search

EXECUTIVE SEARCH FOR A CITY MANAGER: Chief Brandt stated he spoke with Paul Sharon, International City Manager Association (Range Riders), and was impressed with the service they could provide at no charge. They would provide the same services as a professional company for no charge. A private professional search would cost approximately \$20,000.

Councilor Pruette was not in favor in spending \$20,000 for a professional search. She suggested advertising on the city web page, newspapers, and in the Florida League of Cities Newsletter or using the services provided by the ICMA.

Vice Mayor Gilbert favored using the ICMA (Range Riders). The service was free and the Florida League of Cities endorsed them. If they could not provide results within a few months then we could look at other options.

Mayor Brown suggested each Councilor put their thoughts together on the qualities and requirements they were looking for in a new City Manager before publishing an advertisement.

Councilor Weldon stated hiring a new City Manager would be the most significant act of the Council. He was not opposed to hiring a professional headhunter to help organize the search. He was willing to listen to presentations from both services.

Mayor Brown felt the ICMA and the private company would use the same outlet for information and would advertise in the same publications.

Interim City Manager Chief Brandt stated ICMA could do a presentation at the October 6, 2003, meeting.

City Clerk Lisa Volpe stated she would invite The Mercer Group, Inc. to attend the September 22, 2003 meeting and the ICMA (Range Riders) to attend the September 29, 2003 meeting.

Ad Hoc Parking  
Committee

AD HOC PARKING COMMITTEE: Mayor Brown stated Atlantic Beach Mayor John Meserve was inviting all council members to participate in an Ad Hoc Parking Committee that would include the Town Center Merchants.

Adjournment

There being no further business, the meeting adjourned at 9:39 p.m.

---

Richard A. Brown, Mayor

Attest:

---

Lisa Volpe, CMC, City Clerk

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