



MINUTES
REGULAR CITY COUNCIL MEETING
JULY 6, 2004, 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 July 6, 2004, 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
City Attorney Christopher White
City Manager Jim Jarboe
City Clerk Lisa Volpe, CMC

ABSENT:

Councilor Larry Shealy

STAFF:

Sergeant Anthony Carrillo
Director of Community Development Jason Cleghorn
Director of Public Services Leon Smith
Director of Finance Steve Ramsey
Deputy City Clerk Karla Strait, CMC

Order Call/Pledge

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

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS

Chris Hoffman, American Cancer Society, Unit Executive Director, expressed her thanks to the Council for allowing the Relay for Life event to take place in Jarboe Park. The event was a huge success and raised \$37,000.

APPROVAL OF MINUTES

Motion: **TO APPROVE THE FOLLOWING MINUTES:**
JUNE 7, 2004, SPECIAL CITY COUNCIL MEETING
JUNE 7, 2004, REGULAR CITY COUNCIL MEETING
JUNE 21, 2004, WORKSHOP CITY COUNCIL MEETING
JUNE 21, 2004, SPECIAL CITY COUNCIL MEETING

Moved by Pruette, seconded by Weldon.

Roll Call Vote:

Ayes: 4 – Gilbert, Pruette, Weldon, Brown

Noes: 0

Absent: 1 – Shealy

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Mayor Brown recognized Eric Pardee, Chairman of the Code Enforcement Board, for being 1 of 5 finalists for the City of Jacksonville's Employee of the Year Award.

Councilor Pruette complimented the Public Safety Department for their efforts during the 4th of July holiday adding that she received many positive comments from the public.

City Manager Jarboe stated the following letters were received commending the Public Safety Department: 1) Officer Dehm was commended for retrieving a stolen bicycle for an eleven-year-old boy. 2) Lifeguard Jason Snead was commended for rescuing a mother and her daughter after their kayak flipped over in the ocean and they were caught in a run out. 3) The department received a letter of thanks for providing a report on the patrolling of a vacant home while the owners were out of town.

CITY MANAGER REPORTS

PUBLIC SERVICES FACILITY PROJECT: The Public Services Facility Project was close to completion. The Certificate of Occupancy should be received in August. The public would be invited for a Grand Opening and Ribbon Cutting Event.

PUBLIC COMMENTS

Sybil Ansbacher, 2008 Strand Street, Chairperson of the Board of Appeals, stated the Board of Appeals abided by the Code regarding the denial of the 6-foot privacy fence for Ms. Korman, 529 Margaret Street. She added most citizens had the need for 6-foot privacy fences and asked the Council to address fence heights.

CONSENT AGENDA

VOICE STRESS ANALYZER: Approval of request for Public Safety to expend \$10,800 for a voice stress analyzer from the forfeiture fund.

LAND DEVELOPMENT REGULATIONS LEGAL REVIEW: Approval of request to expend the cost of the Land Development Regulations legal review from the contingency fund.

Moved by Gilbert, seconded by Weldon.

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

Roll Call Vote:

Ayes: 4 – Gilbert, Pruette, Weldon, Brown

Noes: 0

Absent: 1 – Shealy

MOTION CARRIEDVARIANCES

V04-14
Ms. Korman
527 Margaret St.

VARIANCE REQUEST – V04-14 – PAMELA KORMAN – 529 MARGARET STREET:
Appeal the replacement of a 6foot privacy fence in the rear yard that was denied by the Board of Appeals.

Ms. Korman explained she installed a swimming pool in her backyard and wanted to replace the old six-foot privacy fence. The fence company informed her it was against the city's code to have a solid six-foot privacy fence. They recommended a five-foot solid fence with a one-foot lattice top panel. The lattice did not provide much privacy or security and she would like to replace the top lattice panel with a solid panel. She added other property owners were putting up fences without applying for a permit and she felt she was being penalized for following the law and obtaining a permit. She also had submitted letters of approval from her surrounding neighbors.

Councilor Pruette disclosed she had spoken with Ms. Korman and members of the Board of Appeals regarding the fence.

City Clerk Lisa Volpe reminded the Council the Land Development Review Meeting scheduled for Monday, July 12, would cover the fence portion of the Code.

Councilor Weldon felt Ms. Korman should abide by the Code and the fence should remain 75% solid until the Code was changed.

Councilor Pruette stated she asked the Council to revise the fence height at the March 22, 2004 meeting and felt the Council was partly to blame. She felt that Ms. Korman had been honest and law abiding by obtained a permit and it was not right to deny her request to replace the fence when many citizens had done the same thing.

For the Record Councilor Gilbert stated for the record six-foot privacy fences should be standard and limits should be set on anything above the standard.

Councilor Weldon stated people were required to follow the law. He added Council did not take action based on approval of surrounding neighbors.

Moved by Pruette, seconded by Gilbert.

Motion: **TO REVERSE THE DECISION OF THE BOARD OF APPEALS AND ALLOW THE SIX FOOT PRIVACY FENCE.**

Ayes: 3 – Gilbert, Pruette, Brown

Noes: 1 – Weldon

Absent: 1 – Shealy

MOTION CARRIEDORDINANCES

Ord. No. 2004-09

ORDINANCE NO. 2004-09 – AMENDING THE OPERATING BUDGET, SECOND READ AND PUBLIC HEARING: AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE CITY OF NEPTUNE BEACH, FLORIDA FOR FISCAL YEAR 2004 BEGINNING OCTOBER 1, 2003 AND ENDING SEPTEMBER 30, 2004.

Mayor Brown read Ordinance No. 2004-09 by title only and opened the public hearing.

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

Moved by Weldon, seconded by Pruette.

Motion: **TO ADOPT ORDINANCE NO. 2004-09 ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

Ayes: 4 – Gilbert, Pruette, Weldon, Brown

Noes: 0

Absent: 1 – Shealy

MOTION CARRIED

OLD BUSINESS

Strategic Plan

STRATEGIC PLAN FOR FISCAL YEAR 2004 / 2005: City Manager Jarboe stated the Strategic Plan was developed to achieve the goals for fiscal year 2004 / 2005 defined at the Goal Setting Workshop Meeting. He asked Council to formally endorse the plan.

Moved by Gilbert, seconded by Pruette.

Motion: **TO ENDORSE THE STRATEGIC PLAN FOR FISCAL YEAR 2004 / 2005 AS SUBMITTED.**

Roll Call Vote:

Ayes: 4 – Gilbert, Pruette, Weldon, Brown

Noes: 0

Absent: 1 – Shealy

MOTION CARRIED

Roundabouts

ROUNDBOUT FEASIBILITY STUDY: To approve a contract with Alternate Street Design, P.A., to conduct a roundabout feasibility study at the intersections of Penman Road and Florida Boulevard and Florida Boulevard and Windward Lane. The contract was for an estimated amount of \$9,995.00 with additional services charged at an hourly rate of \$130.00.

Mayor Brown stated he would like to delay the expenditure and identify the level of support from the county.

Richard McCubbin, P.E., Interim Chief Traffic Engineering Division, City of Jacksonville, stated roundabouts were considered traffic calming devices and were not recommended for collector roads. It was his experience that roundabouts did not reduce traffic or speeding. He added the City of Jacksonville was willing to work with Neptune Beach in considering options.

Mayor Brown asked if the county would assist in the study. Mr. McCubbin replied the study would be done through contract, however they would review the study and be glad to assist. Mayor Brown asked if they would help financially. Mr. McCubbin replied that would be left up to City of Jacksonville Councilman Art Graham.

Councilor Pruette stated widening Penman Road was not an option because Penman Road was in a residential area, the citizens were totally against it, and it would devastate the quality of life.

Mayor Brown felt that widening Penman Road would encourage more traffic.

Mr. McCubbin stated the only problem currently on Penman Road was traffic during morning and afternoon rush hours.

Councilman Art Graham, Beaches Representative for the City of Jacksonville, explained he had spoken with Jacksonville Mayor John Peyton and he had agreed to have the Metropolitan Planning Organization conduct a study of Penman Road. The study was to begin in the 3^d quarter and results were expected in early November. He urged the Council to wait until the Metropolitan Planning Organization completed their study before expending the \$10,000 for the roundabout study. He added once the study was complete the Neptune Beach City Council would be able to consider all options.

Moved by Weldon, seconded by Gilbert.

Motion: **TO POSTPONE THE DISCUSSION ABOUT ROUNDABOUTS UNTIL WE HAVE HAD FEEDBACK FROM THE CITY OF JACKSONVILLE OR IT'S COMMITTEE WITH A FULL RANGE OF ALTERNATIVES.**

Roll Call Vote:

Ayes: 4 – Gilbert, Pruette, Weldon, Brown

Noes: 0

Absent: 1 – Shealy

MOTION CARRIED

NEW BUSINESS / NONE

Adjournment

There being no further business, the meeting adjourned at 8:12 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____