



MINUTES
WORKSHOP CITY COUNCIL MEETING
AUGUST 16, 2004, AT 6:30 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 August 16, 2004 at 6:30 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 Jim Jarboe
City Clerk Lisa Volpe, CMC

STAFF:

Community Development Director Jason Cleghorn
Deputy City Clerk Karla Strait, CMC

Call to Order/Roll Call Mayor Brown called the meeting to order at 6:30 p.m.

PRESENTATIONS / NONE

COMMITTEE REPORTS / NONE

CITY MANAGERS ACTION LIST

Public Services Facility	City Manager Jarboe reported the new Public Services Facility should be completed within 2 to 3 weeks. The contractor was completing the landscaping and punch list. Once completed an open house for the public would be scheduled.
Stormwater	The stormwater repairs were underway and should be completed within the next 2 weeks.
Paving	Once the stormwater repairs were complete the paving should begin, which should take place late this week. The paving contractor would begin with the area west of Third Street. The paving included replacing existing speed bumps with speed humps. There would be a speed hump on every street east of Third Street.
Third St.	The City of Jacksonville committed \$250,000 for the beautification of Third Street. Once they have approved the landscaping design it would be placed for bid.

Kings Rd. Bridge

The design for the Kings Road Bridge was expected to be complete by the end of August and would be ready to start the bid process.

Councilor Weldon requested replacement of beach signage along with the replacement of the street signage.

PUBLIC COMMENTS

Bob Zimpfer, 2545 Waters Edge Drive, felt the city should be responsible for paving Waters Edge Drive because they had made the repairs in the past. He also asked the city to consider paving Bartolome Drive.

Adelbert O. Baker, 106 Pine Street, opposed the streetlight shading due to security and liability.

Brooklyn Perry, 2523 Waters Edge Drive, asked the city to repair the potholes on Waters Edge Drive.

Ralph LaPerna, 2507 Waters Edge Drive, stated the city had been repairing the potholes on Waters Edge Drive since 1976 and he did not understand why the city would not repair them now.

City Manager Jarboe explained the residents of Waters Edge Drive were notified the meeting would begin at 7:00 p.m. Because the meeting began at 6:30 p.m. he asked Mayor Brown to postpone the public hearing until 7:00 p.m.

PROPOSED ORDINANCES / NONE

CONTRACTS / AGREEMENTS

Grant Consulting

PROPOSAL FROM LANGTON ASSOCIATES FOR GRANT CONSULTING SERVICES: City Manager Jarboe explained he received a proposal from Langton Associates for grant consulting services for the Florida Communities Trust grant program for land acquisition. The proposal included an assessment fee of \$1,000 to compare the criteria and priorities of other cities and determine if the grant would be worth seeking. If the consultant determined the city was likely to receive the grant they would write the grant for a fee of \$8,000.

Councilor Weldon questioned if the \$8,000 would be paid if the grant was not received.

City Manager Jarboe stated he would do some research and report back to the Council at the September regular meeting.

Consensus: **HAVE THE CITY MANAGER RESEARCH AND REPORT BACK TO THE COUNCIL AT THE SEPTEMBER REGULAR MEETING.**

ISSUE DEVELOPMENT

Personnel Policy

RESOLUTION AMENDING THE PERSONNEL POLICY: Mr. Jarboe explained the Resolution updated the personnel policy to coincide with the union contract.

Councilor Weldon questioned if the salary ranges had been adjusted. He was concerned about senior staff salaries being adjusted without the consent of the Council. Mr. Jarboe replied it was only a salary range and did not reflect the exact salary of the employee.

Consensus: **FORWARD TO SEPTEMBER REGULAR MEETING.**

PUBLIC COMMENTS

Tim Ingram, 113 Pine Street, stated the streetlight illuminated excessive light onto his property and he would like the streetlight to remain shaded.

John Roberts, 109 Pine Street, felt shaded streetlights defeated the overall purpose. He was concerned about security.

Todd Krohn, 102 Pine Street, felt streetlights provided security and should not be shaded.

Nicole Evans, 220 Pine Street, stated Pine Street was dark and the streetlight was needed for security.

Debbie Lupole, 116 Pine Street, felt the streetlight provided security and deterred crime and should not be shaded.

Peg Paschal, 113 Pine Street, stated the streetlight on Pine Street was too bright and should be shaded. She felt private property owners should provide their own security lighting.

Robert Varn, 2539 Waters Edge Drive, asked the city to repair the potholes on Waters Edge Drive.

Streetlight Policy

City Manager Jarboe explained he received requests from residents to shade and not to shade the streetlight on Pine Street. The city did not have a policy in place regarding the shading of streetlights. He created a policy that would require a percentage of signatures of the affected residents as to whether or not streetlights should be shaded.

Councilor Shealy questioned how many streetlights in the city were shaded. Jarboe replied over the years many streetlights had been shaded. Councilor Shealy questioned if the city would be liable in the case of crime if the streetlight were shaded. He felt residents should put shades in their windows if they were concerned about streetlights shining into their homes.

City Attorney White advised the city had the right of discretion to control street lighting and would not be liable.

Councilor Weldon asked the Council to consider a consensus to dispense of the current streetlight policy, have all streetlights within the city unshaded, and have them all set to the standard wattage.

Mayor Brown suggested gathering information regarding what the standard streetlight wattage was before unshading the lights.

City Manager Jarboe stated he would conduct a study of standard streetlight wattage and report back to the Council in October. During the study no shades would be removed or installed.

Recess/reconvene

Mayor Brown recessed the meeting at 7:50 p.m. and reconvened the meeting at 7:58 p.m.

Waters Edge Dr.

City Manager Jarboe stated the residents on Waters Edge Drive asked the city to repair the potholes. Research showed Waters Edge Drive was on a J.E.A. easement granted to the owner of the property and therefore was a private road. The developer tried to dedicate the road to the city but it did not meet city standards. Although the city had repaired the potholes in the past in order to make the road usable for city services, Mr. Jarboe

contacted J.E.A. and was informed the current property owners were responsible for the maintenance of the road. He also stated the southern part of the road was privately owned and the owner could block access if they desired.

Mr. Jarboe added repairing the potholes would only be a temporary solution. The road needed to be completely reconstructed. It would be very costly for the city to reconstruct the road, as Department of Environmental Protection and St. Johns Water Management permits would be required. The city would also have to lease the road from J.E.A. If the city reconstructed the road there would be a major assessment for the property owners.

City Attorney White stated the road was never dedicated to the city therefore the city was not obligated to maintain it. The fact that the city had made repairs in the past had no bearing. The road was granted to the developer from J.E.A. in 1975. The city could not fix the road because it did not belong to the city. Mr. White explained if the city reconstructed Waters Edge Drive, and assessed the property owners, it would then be considered a public street and the city would be required to take over future maintenance.

Councilor Gilbert felt since the city allowed the property to be built and sold separately the city could at the least patch the potholes. He also suggested paving Bartolome Road as an alternative.

Councilor Pruette agreed the city should try to help and work out a plan to do something with the easement or pave Bartolome.

Mayor Brown stated the city was not to blame. It was private property. He had concerns about spending taxpayers' dollars to repair or construct private property.

City Manager Jarboe stated it would cost roughly \$1,300 to \$1,400 for the city to repair the potholes.

Councilor Weldon felt the property owners had a responsibility for the way the property was developed and the person that sold them the property was to blame. He asked staff to provide proposals for the cost and assessments per owner. He would support the city repairing the potholes on a one-time basis, however he was opposed to the city accepting responsibility for the road.

Councilor Shealy stated the Council was elected as stewards of the citizens of Neptune Beach and should not spend tax dollars on property that did not belong to the city.

Councilor Pruette asked City Manager Jarboe to find out the cost of constructing Bartolome Road. She recommended the Waters Edge property owners form a homeowners association.

City Manager Jarboe stated the engineering for the road was over 15 years old and funds would be required for a new engineering study.

Consensus: **TO DIRECT STAFF TO STUDY OPTIONS AND SPEND \$1,500 TO REPAIR THE POTHOLES ON A ONE TIME BASIS FOR EMERGENCY VEHICLE ACCESSIBILITY.**

City Manager Jarboe emphasized the city was doing the one time repairs for public service vehicle accessibility.

Monster Homes/
35' Height Limit

Councilor Pruette explained she placed the issue of monster homes on the agenda for discussion so the changes could be added to the Land Development Regulations Ordinance 2004-10 before the second reading in September.

Community Development Director Jason Cleghorn described the different zoning districts.

Councilor Weldon stated the purpose of the ordinance was to protect monster homes from being constructed in the R-3 and R-4 districts. He recommended allowing the 35' height in the R-1 and R-2 districts if the lot sizes were a minimum of 10,000 square feet, had 100 foot of frontage with a minimum of a 5/12-roof pitch.

Discussion ensued regarding lot sizes, widths, and roof pitches.

City Clerk Lisa Volpe recommended that a separate ordinance for the height limit be prepared for first read at the October regular meeting.

Consensus: **TO ALLOW 35' HEIGHT IN THE R-1 AND R-2 DISTRICTS WITH A MINIMUM LOT SIZE OF 10,000 SQUARE FEET, SOME MINIMUM FRONTAGE, AND A MINIMUM OF A 5/12 ROOF PITCH FOR FIRST READ IN OCTOBER.**

City Clerk Lisa Volpe reminded the Council the September regular meeting would be held on Monday September 13, 2004 due to the Labor Day holiday.

Councilor Pruette informed the Council that Kara Tucker was in the hospital and asked if the Council could write a letter wishing her well. City Clerk Volpe stated she could write a proclamation for "Kara Tucker Day" for the Council to sign.

Vice Mayor Gilbert thanked City Manager Jarboe for keeping the Council updated during the emergency situation with Hurricane Charley.

City Manager Jarboe stated six police officers were being sent to the disaster area to relieve others. The officers would receive first hand experience on the aftermath of a hurricane. FEMA would reimburse the city for the officers' time.

City Manager Jarboe informed the Council the partying and noise situation on Margaret Street continued and was out of hand. He would be meeting with the residents to try to resolve the issue.

Adjournment

There being no further business, the meeting adjourned at 9:31 p.m.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____