



MINUTES
SPECIAL CITY COUNCIL MEETING
SEPTEMBER 20, 2004 AT 7:00 P.M.
CITY HALL, 116 FIRST STREET
NEPTUNE BEACH, FLORIDA

Pursuant to proper notice a Special Meeting of the City Council of the City of Neptune Beach was held September 20, 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 James Jarboe
City Clerk Lisa Volpe, CMC

ABSENT:

Councilor Larry Shealy

STAFF:

Director of Community Development Jason Cleghorn
Director of Finance Steve Ramsey
Director of Public Services Leon Smith
Deputy City Clerk Karla Strait, CMC
Assistant to the Building Official Piper Turner

Order Call

Mayor Brown called the special meeting to order at 7:00 p.m. and announced the purpose of the meeting was to adopt Ordinance No. 2004-05, Fences, Walls, and Hedges on emergency reading and public hearing.

Ord. No. 2004-15

ORDINANCE NO. 2004-15, EMERGENCY READING AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING SECTION 27-330 FENCES, WALLS AND HEDGES AND ESTABLISHING AN EFFECTIVE DATE.

City Manager Jarboe explained the purpose of the emergency ordinance was to allow 6-foot privacy fences that were damaged by the Tropical Storm Francis to be replaced without having to wait until the new Land Development Regulations were adopted.

Mayor Brown introduced an amendment to Ordinance 2004-15 that would allow 6-foot privacy fences on side yards adjacent to Third Street to go beyond the front of houses.

Mayor Brown read Ordinance No. 2004-15 by title only and opened the public hearing.

Steve Hartsaw, 301 Oleander Street, supported the ordinance with the amendment.

Anne Catherine Cruddas, 601 Bowles Court, stated she was forced to install a 75% solid hurricane proof fence to replace her old 6-foot privacy fence. She felt the fence ordinance should be fair to everyone and all fences should have to be hurricane proof for the protection of all citizens.

Beverly Hartsaw, 301 Oleander Street, stated she was unable to use her side yard because of the noise and traffic from Third Street. She supported the ordinance with the amendment.

Christine Chin, 227A Margaret Street, felt 6-foot privacy fences would not decrease the traffic noise from Third Street. She questioned if 6-foot privacy fences were allowed on side yards abutting Third Street, how could the Council deny 6-foot privacy fences in front yards facing Third Street.

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

Councilor Weldon was concerned about adding an amendment to an emergency ordinance. He felt the issue of 6-foot privacy fences on side yards adjacent to Third Street was not considered an emergency. He suggested staff study the sound and design quality of fences and provide a report for discussion at a workshop meeting before Council took action.

Vice Mayor Gilbert stated he did not wish to see different types of fences along Third Street. He suggested in order for the fences to look consistent they be covered by an equal height of hedges.

Mayor Brown asked City Attorney White to comment on whether or not the amendment was appropriate at this time.

City Attorney White advised the amendment was not necessarily an emergency and only the emergency should be addressed at this time.

Vice Mayor Gilbert called the question to vote on Ordinance No. 2004-15 as it was written.

Motion: **TO VOTE ON ORDINANCE NO. 2004-15 AS IT WAS WRITTEN WITHOUT THE AMENDMENT.**

Roll Call Vote:

Ayes: 4 – Gilbert, Pruette, Weldon, Brown

Noes: 0

Absent: 1 – Shealy

MOTION CARRIED

Moved by Gilbert, seconded by Weldon.

Motion: **TO ADOPT ORDINANCE 2004-15, ON EMERGENCY READING AND PUBLIC HEARING.**

Roll Call Vote on the adoption of Ordinance No. 2004-15:

Ayes: 3 – Gilbert, Weldon, Brown

Noes: 1 – Pruette

Absent: 1 – Shealy

MOTION CARRIED

Vice Mayor Gilbert asked staff to study and report at the workshop meeting.

TO ADOPT ORDINANCE 2004-15, ON EMERGENCY READING AND PUBLIC HEARING.

Adjournment

There being no further business, the meeting adjourned at 7:36 p.m.

Richard Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____