



MINUTES
WORKSHOP CITY COUNCIL MEETING
JANUARY 12, 2004, 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 January 12, 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 Larry Shealy
Councilor John Weldon
Interim City Manager & Public Safety Director William Brandt
Interim Assistant City Manager & City Clerk Lisa Volpe, CMC

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.

PRESENTATIONS/NONE

COMMITTEE REPORTS/NONE

CITY MANAGERS PUNCH LIST

Water Project WATER IMPROVEMENT PROJECT: Interim City Manager Brandt stated final payment would be made to Utilex once the billing was received in proper format.

Sewer Project SEWER IMPROVEMENT PROJECT: Jim Miller, PBS&J, stated the sewer contractor had continued running into problems with the old liner on Third Street. The latest problem was at the corner of Third Street and Florida Boulevard where the water contractor had difficulty installing the bore and jack and damaged a sewer line. Due to the problems, Mr. Miller recommended at the contractors request, a 45-day extension of the contract. Mr. Miller added that with all the problems and extra work the project would still be completed under the contracted time.

Director of Public Services Leon Smith stated the sewer line for the Sea Horse Motel was backing up quite a bit and a sewer line for a house on Orange Street at the oceanfront needed

to be extended. He would have the contractor take care of those problems as well.

Consensus: **TO ALLOW THE CONTRACTOR A 45 DAY EXTENSION TO DO REPAIRS ON ORANGE AND MIDWAY.**

Councilor Weldon voiced concern regarding low water pressure on a property on the oceanfront north of Cedar Street. Mr. Smith stated he would look into the situation.

Kings Rd. Bridge

KINGS ROAD BRIDGE: Interim City Manager Brandt stated G.A.I. Consultants were prepared to give a presentation to the Council on the design and construction of a new bridge.

Consensus: **TO HOLD A SPECIAL MEETING FOR G.A.I. CONSULTANTS ON FEBRUARY 2, 2004, AT 6:30 P.M. PRIOR TO THE REGULAR COUNCIL MEETING.**

Public Services Facility

PUBLIC SERVICES FACILITY: Director of Public Services Leon Smith stated the construction of the new public services facility was moving along well and ahead of schedule. The construction was due to be complete by June 1st.

Hopkins Creek

HOPKINS CREEK PROJECT: Mayor Brown stated the Florida Department of Transportation continued to look at options other than the original plan for culvert.

City Manager Selection

CITY MANAGER SELECTION PROCESS: Councilor Pruette suggested the reception for the city manager candidates be held at City Hall in lieu of the Beaches Diner. She felt more citizens would attend if it were held at the City Hall building.

Mayor Brown stated the Beaches Diner would be open for the reception attendees only and there were also more available parking at that location.

PUBLIC COMMENTS

Sandy Leidy, 1810 Strand Street, asked the Council to reconsider the sequence of public comments on the agenda. He felt the public should have an opportunity to speak before each agenda item.

Tim Slater, 573 Magnolia Street, asked Council to consider a cost effective solution for cleaning the drainage ditches. He suggested Council consider charging impact fees on development.

Lynda Padrta, 1113 First Street, questioned the timeline for street replacement and landscape repairs and the impact on the stormwater system from the addition of the stormwater drainage from Town Center.

PROPOSED ORDINANCES

LDR

LAND DEVELOPMENT REGULATIONS: Council was asked to set a date for a workshop meeting to review the Land Development Regulations. City Clerk Lisa Volpe stated February 16th was a holiday and the available dates for the workshop were February 9th or the 23rd.

Consensus: **TO HOLD THE LAND DEVELOPMENT REVIEW WORKSHOP ON FEBRUARY 9TH AT 6:00 P.M. AND THE REGULAR WORKSHOP MEETING ON THE 23RD AT 7:00 P.M.**

Sign Ord.

SIGN ORDINANCE: Councilor Weldon felt the sign ordinance should be more consistent with the Atlantic Beach sign ordinance. He asked Council to allow him to work with Community Development Director Jason Cleghorn and submit a new draft to Council for approval. City Clerk Lisa Volpe advised the latest draft did not include the ordinance relating to political signs.

Consensus: **COUNCILOR WELDON TO WORK WITH JASON CLEGHORN AND DRAFT THE SIGN ORDINANCE.**

CONTRACTS / AGREEMENTS/NONE

ISSUE DEVELOPMENT

Sunny Caribbee

SUNNY CARIBBEE: Chief Brandt stated Mr. Brocato, owner of Sunny Caribbee was not prepared to appear before the Council and asked to defer the item.

Councilor Weldon stated applicants should not be allowed to determine the council agenda. He was prepared to discuss the issue of outdoor seating on public right-of-ways. He added that he was willing to consider the idea if the following guidelines were set: 1) a fair price per square foot was determined, 2) a clear insurance guaranty to protect the city, 3) clear enforcement regarding enforcement of alcohol and food, 4) it would not be used as an excuse to allow a smoking area and would have a non-smoking section, and 5) determine the amount of space necessary for pedestrians in addition to the space being utilized for sidewalk dining.

Councilor Pruette agreed that if sidewalk dining was allowed, guidelines should be set so there would be no misunderstandings.

Councilor Weldon stated Mr. Brocato was asked to determine the fair price for the outdoor retail space for the Council to consider. Instead he suggested staff contact local merchants and come up with a fair price per square foot for retail restaurant space.

Mayor Brown stated other sidewalks in retail areas were narrow and could not be considered for sidewalk dining because there would not be additional space for pedestrians.

Vice Mayor Gilbert stated he did not have a problem with the sidewalk dining. He was concerned that if the restaurant provided entertainment after 10:00 p.m. it would create an adult situation and felt at that point it should no longer be considered a restaurant.

Councilor Shealy stated his two majors concerns were the cost per square footage for retail restaurant space on the right-of-way and liability. He was also concerned about creating a public safety issue.

Mayor Brown asked the staff to prepare a draft of guidelines and contact local merchants regarding the price per square foot for rental of outdoor seating space.

Councilor Pruette asked Director of Community Development Jason Cleghorn to copy information regarding sidewalk dining permits to the other Council members. She also felt agenda items should go through the City Managers office. City Clerk Lisa Volpe stated unless the issue was ongoing all agenda items were approved by the City Manager's office.

Chief Brandt stated there was also the issue of sidewalk diners serving alcohol verses those serving coffee. He suggested a barrier be placed around the dining area if alcohol was being served.

Councilor Weldon asked staff to prepare a set of perimeters for the next Council meeting. He also wanted the City Attorney's analysis of the liability the city may face by accepting rent money.

Councilor Shealy stated the guidelines should also include an escape clause.

Stormwater

STORMWATER: Councilor Pruette stated most areas east of Third Street were fully developed

and the water east of Third Street drained into First Street. She felt the only relief for the drainage was to keep the drainage ditch on First Street cleaned out and free of debris. She suggested the city initiate a regular schedule for cleaning drainage ditches and pay to have the debris hauled off.

Interim City Manager Chief Brandt asked Director of Public Services Leon Smith if the debris removed from the drainage ditches would be considered biohazard. Mr. Smith replied there was a potential that petroleum products may be within the debris but the debris would not be considered the same as sludge.

Jim Miller, PBS&J, stated it would be up to the Department of Environmental Protection to determine the contents of the debris and whether or not it would be considered a biohazard. Mr. Miller stated the overall problem was the ditches from Atlantic Beach and Jacksonville Beach also flowed into Hopkins Creek. The stormwater sewer system was undersized and old. Out of 33 subsystems 22 had flood problems some of which go down immediately once the rain had stopped. He added the only solution would be to install a pumping station.

Councilor Pruette stated cleaning out the ditch behind the church helped with the situation in Bal Harbor. She felt that dredging out and cleaning the ditches would be helpful in other areas.

Director of Public Services Leon Smith agreed the ditches needed to be cleaned but stated his department did not have the capability to dredge all of the ditches. He added he would request the money to be included in his budget for next year.

Vice Mayor Gilbert stated the stormwater system was the final portion of updating the city's infrastructure. Standing water has been a problem for a long time and would take time to repair. He felt temporary repairs would work until priorities were set and the city could look into a long-term diligent approach to the drainage problems. He felt impact fees would be a way to help generate funding.

Councilor Weldon requested the Council be presented a formal report outlining the problems in the existing system. The information provided in the report would locate the critical areas and staff could produce a plan to address the issues.

Jim Miller, PBS&J, stated his company prepared a Stormwater Master Plan for the City in 1998.

Councilor Weldon stated he was unaware of the Stormwater Master Plan. He asked staff to prepare a brief of the plan for the Council outlining critical areas where immediate action should be taken and prepare a price estimate.

Jim Miller stated he would meet with Leon Smith and prepare a summary with up to date cost.

Mayor Brown stated the problem in Bal Harbor has been temporarily corrected. He asked the summary show the difference between what was considered an inconvenience and what was considered a major problem. He felt there were some areas in need of attention but the situation was not a crisis.

Consensus: **DIRECT STAFF TO WORK WITH THE CITY ENGINEER AND CREATE AN EXECUTIVE SUMMARY FOR THE COUNCIL HIGHLIGHTING THE CRITICAL AREAS NEEDING ATTENTION RIGHT NOW AND A PLAN OF ACTION TO ADDRESS THE ENTIRE STORMWATER SYSTEM WITH A TIME LIMIT.**

New Yrs. Event

Councilor Pruette suggested having a big screen television brought into Town Center for the 2005 New Years Eve celebration. She thought it would be nice for citizens to come together in Town Center to celebrate the new year and watch the ball drop.

Adjournment

There being no further business, the meeting adjourned at 8:40 p.m.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____