



MINUTES
WORKSHOP CITY COUNCIL MEETING
MARCH 22, 2004, AT 6:50 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 March 22, 2004 at 6:50 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:

Public Safety Director William Brandt
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 6:50 p.m.

CITY MANAGERS PUNCH LIST

- Special Goals Workshop SPECIAL GOALS WORKSHOP MEETING: City Manager Jarboe reminded the Council a Special Goals Workshop Meeting was scheduled for Saturday, April 3rd from 9:00 a.m. to 4:00 p.m.
- Water Project WATER IMPROVEMENT PROJECT: The city was still waiting on a response from the contractor for final payment and settlement of the dispute.
- Sewer Project SEWER IMPROVEMENT PROJECT: The Sewer Improvement Project was almost completely finished with the exception of a few small items. The Public Services Department would be installing vegetation around the lift station on First Street.
- Kings Rd. Bridge KINGS ROAD BRIDGE: The design was underway for the new Kings Road Bridge. Public Services Director Leon Smith and Code Enforcement Officer Larry Dean had been speaking with the residents and providing handouts regarding information.

- Public Services Facility PUBLIC SERVICES FACILITY: The new Public Services Facility was under construction and moving along quickly. The occupants of the old administration building were being moved to the new administration building and the old one would be demolished. A ribbon cutting ceremony and hot dog social would be planned for early this summer.
- Hopkins Creek HOPKINS CREEK DRAINAGE IMPROVEMENTS: Public Services were in the process of doing drainage work. A maintenance plan would be set after Ordinance No. 2004-03 was adopted.
- The drainage work for First Street would also begin after the adoption of Ordinance No. 2004-03.
- Complaint System NEW COMPLAINT SYSTEM – BETTER PLACE: A new complaint system had been implemented and Council would be provided a printout of complaints at the next Council meeting.
- City Manager Jarboe stated he would be changing the name “City Manager’s Punch List” to a more formal name.

PRESENTATIONS

- Roy Deese RECOGNITION OF ROY DEESE FOR OUTSTANDING COMMUNITY SERVICE: Mayor Brown recognized Roy Deese for his outstanding community service and presented him with a plaque.
- Recess/Reconvene Mayor Brown called a recess at 7:00 p.m. and reconvened the meeting at 7:10 p.m.

PUBLIC COMMENTS

- Stephen Kuti, 1132 Linkside Drive, Atlantic Beach, opposed Ordinance No. 2004-02 regarding outdoor seating on public right-of-way.
- June Baldwin, thanked the Council for supporting the first annual “Sandy Paws Event”. She stated over 300 people and 450 greyhounds attended the event. She presented Mayor Brown and Animal Control Officer John Webber with a Certificate of Appreciation. The organization would like to have the event again next year.

PROPOSED ORDINANCES

- Ord. No. 2004-01 ORDINANCE NO. 2004-01, ADVERTISING ORDINANCE, SPONSORED BY COUNCILOR WELDON: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING THE EXISTING CHAPTER 27, ARTICLE XV ADVERTISING, AMENDING SEC. 27-575 PURPOSE AND INTENT, SEC. 27-576 DEFINITIONS, SEC. 27-577 MAINTENANCE OF SIGNS, SEC. 27-580 EXEMPTIONS, SEC. 27-581 PROHIBITED SIGNS, SEC. 27-582 SIGN AREA COMPUTATION, SEC. 27-583 PERMITTED TEMPORARY SIGNS, SEC. 27-584 GROUND SIGNS, SEC. 27-586 ENTRANCE SIGNS FOR SUBDIVISIONS AND MULIFAMILY DEVELOPMENTS, SEC. 27-589 PLACEMENT STANDARDS, SEC. 27-591 DESIGN STANDARDS, SEC. 27-592 NONCONFORMING SIGNS, SEC. 27-593 VIOLATION CONSTITUTE NUISANCE; ABATEMENT, DELETING SEC. 27-585 BUILDING SIGNS AND ADDING SEC. 27-585A BUILDING SIGNS, SEC. 27-585B UNIFIED SIGN PLAN, SEC. 27-585C SIGNS WITHIN PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICTS, SEC. 27-585D SIGNS WITH CONSERVATION (CON) ZONING DISTRICTS AND PROVIDING AN EFFECTIVE DATE.

Councilor Weldon stated no changes had been made to the ordinance after the first read.

Discussion ensued regarding the timing of when political signs could be placed.

Consensus: **PAGE 6, ITEM (7), STRIKE OUT THE WORD "QUALIFIED".**

City Attorney White cautioned the Council not to place time limits or any restrictions on political signs.

Consensus: **PAGE 6, ITEM (7), PARAGRAPH 3, STRIKE OUT "SHALL NOT BE PLACED ON PROPERTY PRIOR TO QUALIFICATION OF THE CANDIDATE TO RUN FOR OFFICE."**

Discussion ensued regarding the size of political signs.

Consensus: **PAGE 6, ITEM 7, ADD 4 SQUARE FEET FOR RESIDENTIAL AREAS AND 32 SQUARE FEET FOR ALL OTHER ZONING DISTRICTS.**

Community Development Director Jason Cleghorn stated there were several small changes that needed to be made to the ordinance.

City Clerk Volpe asked the Council if Mr. Cleghorn could go ahead and make those required changes.

City Attorney White stated when an Ordinance is presented to the Council it should be a clean copy. Mr. Cleghorn could make the changes and present the Council a clean copy and review the changes he made with the Council at the time of the second reading.

Consensus: **PAGE 14, ITEM (4), STRIKE "NOT" AND ADD "ALSO."**

Councilor Weldon asked Mr. Cleghorn if snipe signs were addressed in the ordinance. Mr. Cleghorn responded they were addressed on page 4.

Councilor Shealy asked if the ordinance addressed people dressed in costumes holding and waving signs. Mr. Cleghorn replied he thought that was covered by a separate ordinance.

Mayor Brown asked for commercial addresses to be clear and visible. Mr. Cleghorn stated the issue was addressed on page 11.

Mr. Cleghorn stated he would make the appropriate changes to the ordinance for the April regular meeting.

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

Ord. No. 2004-02

ORDINANCE NO. 2004-02, SIDEWALKS AND BIKEWAYS: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING THE EXISTING CHAPTER 27, SECTION 27-479 SIDEWALKS AND BIKEWAYS AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown agreed to sponsor Ordinance No. 2004-02.

Community Development Director Jason Cleghorn stated there was still a question of smoking and drinking in the outdoor seating area.

Mayor Brown asked if there were a consensus on the smoking.

Councilor Weldon stated a smoking area was an incentive for restaurants to have an outdoor seating section and felt 50/50 would be reasonable.

Councilor Gilbert was concerned that 50/50 may cause conflicts between patrons.

Councilor Shealy questioned if it would be a violation of the state law to permit smoking. City Attorney White stated the state smoking ban was for indoors.

Mr. John Brocato, 100 First Street, Sunny Caribbee, stated he had the opportunity to speak with his customers regarding the smoking issue. He found his customers preferred to have a non-smoking outdoor seating area to a smoking one.

Councilor Pruette felt because the outdoor seating would be on public property patrons must be required to purchase a meal or entrée in order to be served an alcoholic beverage. She also felt an evaluation should be performed quarterly by the building official or city manager and the owner should be required to relocate personalized bricks upon request.

City Clerk Volpe stated Section 27-479d(14) covered the right for the city to prohibit the operation at any time because of anticipated or unanticipated problems or conflicts.

Vice Mayor Gilbert asked Mr. Brocato how he felt about the entrée requirement. Mr. Brocato replied the intention of the outdoor area was for dining not drinking. He added he did not want to have to tell patrons they had to purchase an entrée in order to have a drink.

City Attorney White stated the intent was to have a resolution for situations that may arise and Section 27-479d(1) stated the Council shall determine and establish by resolution the charges, terms and termination procedures for the right-of-way sidewalk uses.

Vice Mayor Gilbert felt one of the benefits for Sunny Caribbee was the patrons would enter through a front door and would have to go out the side door into the outdoor seating area.

Councilor Weldon stated other restaurants would be excluded if they were required to have a separate entrance through the restaurant to be seated outdoors. He suggested seating by a hostess could be required.

Consensus: **TO MAKE THE OUTDOOR SEATING AREA ALL NON-SMOKING AND FORWARD TO THE APRIL REGULAR MEETING.**

Councilor Pruette asked what would be done regarding the personalized bricks. City Manager Jarboe stated it could be included in the resolution that Mr. Brocato be required to relocate the bricks upon request.

CONTRACTS / AGREEMENTS / NONE

ISSUE DEVELOPMENT

Vineyard Church

VINEYARD CHRISTIAN FELLOWSHIP CHURCH: Vice Mayor Gilbert stated Reverend Lee Brookins was currently investigating through property management if the church could lease space inside Scotty's. The code still needed to be addressed in regard to allowing religious establishments in commercial districts.

City Attorney White stated he would work with City Manager Jarboe to prepare an ordinance.

Florida Blvd.
Landscape

LANDSCAPE DESIGN CONTRACT BY GODARD DESIGN & ASSOCIATES: Vice Mayor Gilbert stated a landscape design was necessary in order to apply for a grant. The project was for the one block area between Kings Circle and Bay Road on Florida Boulevard. Godard Design & Associates offered a contract for the design in the amount of \$3,500.

Councilor Weldon requested the council approve the conceptual plan design before proceeding with the construction document design.

Councilor Pruette asked for an update on the Atlantic Boulevard entrance sign.

Consensus: **TO SUPPORT THE LANDSCAPE DESIGN CONTRACT.**

Adjournment

There being no further business, the meeting adjourned at 8:43 p.m.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____