



MINUTES
WORKSHOP CITY COUNCIL MEETING
MAY 17, 2004, AT 7:20 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 May 17, 2004 at 7:20 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
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 7:20 p.m.

PRESENTATIONS

APPRECIATION PLAQUE PRESENTATIONS – LARRY DEAN, SAM BASS, AND JOAN HERMAN: Mayor Brown recognized and presented plaques to Officer Larry Dean for 30 years of service with the city, Officer Sam Bass for 25 years of service, and Joan Herman for 25 years of service.

ROUNDBOUT PRESENTATION – MICHAEL WALLWORK, P.E., ALTERNATE STREET DESIGN, P.A.: Michael Wallwork, P.E., Alternate Street Design, gave a presentation on roundabouts verses traffic signals at intersections.

Discussion ensued regarding the placement of roundabouts on Penman Road at Florida Boulevard and Penman Road at Seagate Avenue.

City Manager Jarboe stated Florida Boulevard was a county road and would require cooperation from the City of Jacksonville.

Consensus: **SOLICIT A PROPOSAL FROM MR. WALLWORK FOR A FEASIBILITY**

STUDY.

Vice Mayor Gilbert requested the study include placement of a roundabout at Windward Lane and Florida Boulevard at the entrance of the Neptune Beach Elementary School.

AUDIT PRESENTATION – DUFRESNE & ASSOCIATES: Linda Defrasne, Defrasne & Associates, C.P.A., P.A., presented and reviewed the audit report.

LONG RANGE TRANSPORTATION PLAN PRESENTATION – FIRST COAST METROPOLITAN PLANNING ORGANIZATION: Denise Bunnewith gave a presentation on the Metropolitan Planning Organization's long-range transportation plan that would be completed in December of 2004. She encouraged the public to attend the workshops and provide opinions.

KINGS ROAD BRIDGE PRESENTATION – G.A.I. CONSULTANTS: Ronald Hooglan, P.E., Project Manager, G.A.I. Consultants, presented a design for the Kings Road bridge. The design was for a 12' travel lane and a sidewalk with pedestrian railing separated from the travel lane by a barrier rail. He explained how the bridge would be constructed and the materials that would be used.

Councilor Shealy stated the sidewalk would provoke children to fish off of the bridge. He felt this would be a safety concern because when the tide went down they would want to fish from the other side where there was no sidewalk. He suggested maybe placing a sidewalk on both sides.

City Manager Jarboe stated it would cost an additional \$50,000 to add a sidewalk on the west side. He was concerned about the rising cost of materials

Vice Mayor Gilbert felt the sidewalk would encourage people to gather and fish and he did not see that as an asset to the community.

Mayor Brown stated there would be activity on the bridge with or without the sidewalk.

Councilor Weldon felt the bridge should be rebuilt to accommodate vehicles, bicyclist, and pedestrians. He felt eliminating the sidewalk would be a disservice to the community.

Discussion continued regarding the size of the bridge and the need for a sidewalk.

Mr. Hooglan suggested painting bicycle lanes on both sides with the traffic lane in the middle. The bicycle lanes would allow pedestrians and cyclist to safely use the bridge.

City Manager Jarboe asked what the total construction cost would be for the bridge. Mr. Hooglan estimated the cost of the bridge to be around \$325,000.

Consensus: **TO DESIGN A 24 FOOT WIDE BRIDGE WITH A 12' TRAVEL LANE AND 4' PAINTED BICYCLE LANES ON EACH SIDE.**

Recess/Reconvene

Mayor Brown called for a recess at 9:35 p.m. and reconvened the meeting at 9:45 p.m.

City Clerk Volpe reminded the Council of the Land Development Regulations Review meeting on Monday, May 24, 2004 at 6:00 p.m.

COMMITTEE REPORTS / NONE**CITY MANAGERS ACTION LIST**

City Manager Jarboe asked the Council to phone him if they had any questions regarding the City Manager's Action List.

PUBLIC COMMENTS

David Cole, 1500 Penman Road, was concerned about the point of reference for the height limit due to hurricane regulations set by the Department of Environmental Protection.

Steve Jarrett, 36 Seawood Drive, Jacksonville Beach, felt 2-way pedestrian traffic was not necessary on the new Kings Road bridge and eliminating one could save the city \$60,000. He was concerned about regulations set by the St. Johns River Water Management District and the Department of Environmental Regulations and recommended the finished floor begin 1 foot above an approved site plan.

Daryl Grubbs, 1919 Nightfall Lane, felt the referendum raising the height limit was not necessary and needed more research. He agreed there was an issue with children fishing off of the Kings Road bridge.

Christine Chin, 227A Margaret Street, felt the referendum needed to be clear on the point of reference.

PROPOSED ORDINANCES

Ord. No. 2004-06

ORDINANCE NO. 2004-06 – BUILDING HEIGHT REFERENDUM: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, CALLING FOR A REFERENDUM TO AMEND THE CHARTER TO CREATE A NEW SECTION 4.07 TO LIMIT THE HEIGHT OF ALL BUILDING STRUCTURES IN THE CITY OF NEPTUNE BEACH TO THIRTY-FIVE FEET; AND ESTABLISHING AN EFFECTIVE DATE.

Mayor Brown asked if the proposal before the council was the language that would be on the ballot.

City Manager Jarboe suggested the following proposal:

Height Limit
Referendum

Section 4.07 Building Height Limitation Set by Referendum., no building that exceeds 35 feet shall be permitted in the City.

- a) *Purpose.* To protect the public health, safety, general welfare and aesthetics.
- b) *Point of Reference.* The height of a building will be determined by using the average natural grade of that portion of the property that is to be built upon.
- c) *Damaged Buildings over 35 feet.* Such buildings may be built back to their original height.
- d) *Exceptions:* 1. Non-residential buildings may be allowed an additional five-feet for uses such as air conditioners, solar cells, elevators and parking. 2) Antennas, flagpoles, spires, water towers not intended for human occupation may exceed the height limit.
- e) *Lower Height Limits.* City Council may impose lower height limits in individual zoning districts.

BALLOT TITLE: Adding Section 4.07 Building Height Limitation to the Neptune Beach City Charter.

BALLOT SUMMARY: Adding Section 4.07 Building Height Limitation to the Neptune Beach Charter limiting the height of new and remodeled buildings to 35 feet; providing height definitions and exclusions; allowing for a provision for damaged buildings to be rebuilt to their existing height, the City Council may impose lower height limits in individual zoning districts.

City Manager Jarboe explained the proposal outlined the language that could be placed on the ballot. Section 4.07 Building Height would be the language actually added to the Charter if the referendum was approved. The Ballot Title was limited to no more than 15 words and the Ballot Summary was limited to 75 words.

Mayor Brown stated at the last discussion it was suggested that the easiest way to describe the referendum to the public would be for residential buildings only.

Councilor Weldon stated there was a misconception that the language on the referendum was limited. It was since learned that you could actually write an ordinance in more detail as long as the ballot summary clearly reflected the changes to the Charter. He felt both commercial and residential structures needed to be addressed in the referendum. He felt a) was okay, b) could be saved for later discussion, c) okay, d) change "non-residential" to "commercial". He felt if Council agreed with the proposal with the grammar changes, they only needed to decide the point of reference.

City Manager Jarboe added for consideration: b) or development required grade for drainage or coastal setback requirements.

Vice Mayor Gilbert felt if state agencies dictated a certain grade then that should be the point of reference and lots not requiring state agency approval needed to be in line with the neighboring existing homes.

Mayor Brown suggested identifying the point of reference in ordinance form instead of putting it in the Charter.

Vice Mayor Gilbert questioned if the entire proposal from City Manager Jarboe including; Section 4.07, Ballot Title, and Ballot Summary would be on the ballot.

City Clerk Volpe replied she would inquire with Supervisor of Elections Office.

Discussion ensued regarding point of reference.

Councilor Pruette suggested the issue of point of reference be discussed Monday, May 24, 2004 before the Land Development meeting.

Councilor Weldon agreed to forward the discussion to Monday, May 24, 2004, adding that he would like to change the following: c) to read "rebuilt to their original height, d) 1. to read "commercial buildings allowed an additional 5 feet" as opposed to non-residential, and d) 2. to replace the word "spires" with "antennas, flagpoles, church steeples, and water towers not intended for human occupation.

City Manager Jarboe stated he would be concerned about discrimination if it read only church steeples because other commercial buildings may want to erect steeples.

Councilor Weldon agreed to take out the word "church" leaving " steeples."

Councilor Weldon stated the last change he would like to change the last sentence of the Ballot Summary to read: "providing height definitions and exclusions: allowing for provisions for damaged buildings to be rebuilt to their existing height and authorizing City Council to impose lower height limits in individual zoning districts.

Consensus: **TO DISCUSS THE POINT OF REFERENCE ON THE 35' HEIGHT LIMITATION BEFORE THE LAND DEVELOPMENT MEETING ON MAY 24, 2004 AT 6:00 P.M.**

Ord. No. 2004-08

ORDINANCE NO. 2004-08 – FIREWORKS: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING THE EXISTING CHAPTER 14 OFFENSES; BY CREATING A NEW SECTION 14.9, "REGULATION OF FIREWORKS;" SETTING FORTH REGULATIONS FOR THE POSSESSION OF FIREWORKS; PROVIDING PENALTIES; PROVIDING FOR CONFLICTING ORDINANCES; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Vice Mayor Gilbert felt the ordinance did not go through the proper channels for first read and requested this ordinance be deferred to the June workshop meeting.

Consensus: TO DEFER ORDINANCE NO. 2004-08 TO THE JUNE WORKSHOP MEETING.

CONTRACTS / AGREEMENTS / NONE

ISSUE DEVELOPMENT / NONE

Adjournment

There being no further business, the meeting adjourned at 10:45 p.m.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____