



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**JANUARY 3, 2005, 7:00 P.M.**  
**CITY HALL, 116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA**

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Pursuant to proper notice a Regular Meeting of the City Council of the City of Neptune Beach was held January 3, 2005, 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 Harriet Pruette  
Councilor Eric Pardee  
Councilor Larry Shealy  
Councilor John Weldon  
City Attorney Christopher White  
City Manager Jim Jarboe  
City Clerk Lisa Volpe, CMC

STAFF:

Lieutenant Anthony Carrillo  
Community Development Director Jason Cleghorn  
Director of Finance Steve Ramsey  
Director of Public Services Leon Smith  
Deputy City Clerk Karla Strait, CMC

Order Call/Pledge

Mayor Brown called the meeting to order at 7:00 p.m. and asked Councilor Pardee to lead the pledge of allegiance.

**AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS / NONE**

**APPROVAL OF MINUTES**

Moved by Shealy, seconded by Weldon.

Motion: **DECEMBER 6, 2004, REGULAR COUNCIL MEETING**  
**DECEMBER 7, 2004, SPECIAL COUNCIL MEETING**

Roll Call Vote:

Ayes: 5 – Pardee, Pruette, Shealy, Weldon, Brown  
Noes: 0

**MOTION CARRIED**

**COMMUNICATIONS AND CORRESPONDENCE**

Vice Mayor Pruette questioned when the repaving would be complete. City Manager Jarboe responded the paving may have to wait until after the Super Bowl as the City of Jacksonville was working on preparations. Director of Public Services Leon Smith stated he would be meeting with the contractor tomorrow at 8:30 a.m.

Councilor Shealy stated he had received several telephone calls from area realtors and the Northeast Florida Association of Realtors concerning Ordinance No. 2005-01.

City Clerk Volpe informed that the proofs for the new code books should arrive this week. Once approved they would be printed and distributed within a couple of weeks.

City Clerk Volpe announced the date for the January workshop meeting fell on Martin Luther King Jr. Day and City Hall would be closed. She asked Council to choose either January 10<sup>th</sup> or January 24<sup>th</sup> to hold the workshop meeting.

Consensus: **TO HOLD THE JANUARY WORKSHOP MEETING ON JANUARY 10, 2005.**

**CITY MANAGER REPORT**

City Manager Jarboe advised that a part of Penman Road would be closed for 2 hours tomorrow to allow Duval County to install a pedestrian walkway. Traffic would be rerouted.

City Manager Jarboe explained the notices sent out by Waste Services of Florida changing the dates of yard waste and recycling pick up were rescinded. Waste Services of Florida was under contract with the city and could not change the dates without Council approval.

City Manager Jarboe stated the Building Department was catching up after back log due to the holidays and illnesses.

City Manager Jarboe informed the Council three noise control signs were installed on Margaret Street. One of the signs had already been stolen, so the signs would be reinstalled with concrete.

Councilor Weldon asked the City Manager to encourage FDOT to clean up the easterly two thirds of the ditch behind Fletcher High School while the equipment was still in place for the repairs.

**PUBLIC COMMENTS**

Mary Ann Padrta, 1030 Second Street, voiced safety concerns relating to two pit bull dogs running loose in her neighborhood.

Reverend Richard Wood, 424 Davis Street, explained the Beaches Church of the Nazarene was growing and the property on Davis Street was too small to expand. He asked the Council to consider rezoning the property from Church to Residential so it could be saleable to a developer.

Jerry Jackson, 4560 Glen Kernan Parkway East, attorney for Jonathon Lyon, 427 Bowles Street, was concerned the Church property would be rezoned into substandard lot sizes.

Jonathon Lyon, 427 Bowles Street, voiced concern about the Church property being rezoned into substandard lot sizes. He added he would be in favor of the property being rezoned for no more than 7 lots.

Mary Patton, 405 Davis Street, was also concerned about substandard lot sizes.

**CONSENT AGENDA / NONE**

**VARIANCES / NONE**

**ORDINANCES**

Ord. No. 2004-19

ORDINANCE NO. 2004-19, AMENDING ARTICLE IX, SECTION 27-445, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING ARTICLE IX, SECTION 27-445, PERMIT REQUIRED FOR TREE REMOVAL OR RELOCATION, AND PROVIDING AN EFFECTIVE DATE.

Moved by Weldon, seconded by Pruette.

Motion **TO ADOPT ORDINANCE NO. 2004-19 ON SECOND READ AND PUBLIC HEARING.**

Mayor Brown read Ordinance No. 2004-19 by title only and opened the public hearing.

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

Roll Call Vote:

Ayes: 5 – Pardee, Pruette, Shealy, Weldon, Brown

Noes: 0

**MOTION CARRIED**

Ord. No. 2005-01

ORDINANCE NO. 2005-01, AMENDING SECTION 13-5(E), FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING SECTION 13-5(C) AND 13-5(E), PROPERTY OWNER RESPONSIBILITY FOR SWORN COMPLAINTS AND PROVIDING AND EFFECTIVE DATE.

Moved by Weldon, seconded by Pruette.

Motion **TO PASS ORDINANCE NO. 2005-01 ON FIRST READ.**

City Attorney White explained the Ordinance would clear up any confusion and clarify the penalties for the Code Enforcement Board.

Vice Mayor Pruette stated she would sponsor Ordinance No. 2005-01.

Roll Call Vote:

Ayes: 5 – Pardee, Pruette, Shealy, Weldon, Brown

Noes: 0

**MOTION CARRIED**

ORD. NO. 2005-02

ORDINANCE NO. 2005-02, AMENDING THE 2010 FUTURE LAND USES MAP, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING THE 2010 FUTURE LAND USE MAP, AS ADOPTED BY ORDINANCE 90-6-9, AS AMENDED, SAID ORDINANCE NUMBER 2005-02, WHICH SHALL CHANGE THE LAND USE DESIGNATIONS ESTABLISHED ON THE 2010 FUTURE LAND USE MAP (FLUM) FOR LANDS AS DESCRIBED HEREIN FROM CHURCH TO RESIDENTIAL, LOW DENSITY, PROVIDING FOR INTENT; AUTHORITY; FINDINGS OF CONSISTENCY; FINDINGS OF FACT; SEVERABILITY; RECORDATION AND AN EFFECTIVE DATE.

City Manager Jarboe explained this ordinance was to amend the Future Land Use Map because it was in conflict with the Code. It was considered a minor amendment under state statutes.

Councilor Weldon agreed to sponsor Ordinance No. 2005-02

Moved by Weldon, seconded by Pruette.

Councilor Weldon stated although he was in agreement of the change he would ask that the property owner advise interested buyers up front the property could be subdivided into no more than six lots.

Motion **TO PASS ORDINANCE NO. 2005-02 ON FIRST READ.**

Roll Call Vote:

Ayes: 5 – Pardee, Pruette, Shealy, Weldon, Brown

Noes: 0

MOTION CARRIED

### **OLD BUSINESS**

Kings Rd. Bridge

KINGS ROAD BRIDGE – REJECTION OF BIDS RECEIVED NOVEMBER 16, 2004:  
City Manager Jarboe stated he was disappointed in the bids received for the construction of the new Kings Road Bridge. The design firm estimated a cost of \$350,000. The low bid was \$799,289.50; the only other bid was for \$1,105,500.00. He recommended Council reject the bids. He added that he would be looking at other options to provide to the Council.

Vice Mayor Pruette questioned the timing of the construction. City Manager Jarboe replied it could be mid-summer before the bridge would be completed.

Moved by Pruette, seconded by Shealy.

Motion **TO REJECT THE BIDS FOR THE KINGS ROAD BRIDGE RECEIVED NOVEMBER 16, 2004.**

Roll Call Vote:

Ayes: 5 – Pardee, Pruette, Shealy, Weldon, Brown

Noes: 0

MOTION CARRIED

### **NEW BUSINESS**

Res. No. 2005-01

RESOLUTION NO. 2005-01, REAPPOINTING BOARD MEMBERS: A RESOLUTION REAPPOINTING BILL GUNSCH TO THE CODE ENFORCEMENT BOARD AND ANTHONY MAZZOLA TO THE PLANNING & DEVELOPMENT REVIEW BOARD.

City Manager Jarboe asked to withdraw Resolution No. 2005-01 from the agenda and place the issue of Board Appointments on the workshop meeting.

Adjournment

There being no further business, the meeting adjourned at 7:50 p.m.

ATTEST:

\_\_\_\_\_  
Lisa Volpe, CMC, City Clerk

Approved: \_\_\_\_\_