



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**JULY 11, 2005, 7:05 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 July 11, 2005 at 7:05 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:

Community Development Director Jason Cleghorn  
Director of Finance Steve Ramsey  
Director of Public Safety David Sembach  
Director of Public Services Leon Smith  
Deputy City Clerk Karla Strait, CMC

Order Call/Pledge

Mayor Brown called the meeting to order at 7:05 p.m. and led the pledge of allegiance.

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

**APPROVAL OF MINUTES**

Moved by Weldon, seconded by Shealy.

Motion: **TO APPROVE THE FOLLOWING MINUTES:**

**JUNE 6, 2005, REGULAR CITY COUNCIL MEETING**  
**JUNE 13, 2005, WORKSHOP, FIRST AMENDMENT FOUNDATION**  
**JUNE 20, 2005, WORKSHOP COUNCIL MEETING**

Roll Call Vote:

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

**MOTION CARRIED**

**COMMUNICATIONS AND CORRESPONDENCE / NONE****CITY MANAGER REPORT**

City Manager Jarboe stated the Fourth of July holiday was less of a problem this year. Signs were placed notifying the public that fireworks were not allowed. Police Officers patrolled the city on bicycles & motorcycles and only one arrest was made.

City Manager Jarboe introduced David Sembach as the new Chief of Police and Public Safety Director.

**PUBLIC COMMENTS**

Jo Anne Waddill, 115 Oleander Street, presented a petition with 50 signatures requesting the enforcement of the animal leash law.

The following citizens spoke in opposition of installing of speed humps east of Third Street.

- Tom Byerly, 527 South Street
- Patrick Clyne, 1210 Ocean Front
- Mike Maloney, 1916 Strand Street
- David Miller, 101 Rose Place
- Pat Sowerby, 1910 Strand Street
- James Lee, 246 Myra Street

Diana Anderson, 207 Walnut Street, requested more animal control enforcement and offered some suggestions.

Candy Sullivan, 220 South Street, favored the speed humps installation east of Third Street. She asked Council to consider changing the hours for leashed dogs to be allowed on the beach.

**CONSENT AGENDA**

FLC/Voting Delegate **DESIGNATION OF VOTING DELEGATE FOR THE FLORIDA LEAGUE OF CITIES 79<sup>TH</sup> ANNUAL CONFERENCE:** To designate Mayor Brown to serve as voting delegate for the Florida League of Cities 79<sup>th</sup> Annual Conference or Vice Mayor in his absence.

Speed Humps **PUBLIC SERVICES TO INSTALL SPEED HUMPS:** Approval for the Public Services Department to install speed humps east of Third Street from Florida Boulevard to Hopkins Street.

Moved by Weldon, seconded by Shealy.

Councilor Weldon suggested removing speed humps from the consent agenda.

Consensus: **TO REMOVE THE SPEED HUMPS FROM THE CONSENT AGENDA AND DISCUSS SEPARATELY.**

Motion: **TO APPROVE ITEM A OF THE CONSENT AGENDA ONLY.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

Councilor Weldon was dissatisfied with the design of the speed hump on South Street. He felt the speed humps should be installed consistently according to Institute of Transportation Engineers' standards. He also suggested looking at reducing the speed limit in order to slow traffic east of Third Street.

Vice Mayor Pruette stated the present speed humps were not installed by standards and the streets were being abused.

City Manager Jarboe recommended forwarding the installation of speed humps east of Third Street to the August workshop meeting.

Councilor Pardee asked to hear from Chief Sembach regarding the traffic issues east of Third Street.

Chief Sembach stated he found only five speed limit signs posted east of Third Street. He advised the Council that 56 new signs with a speed limit of 20 miles per hour had been ordered and would be installed on every other block east of Third Street. He felt without speed humps a 20 mile per hour speed limit would be fair.

Council instructed staff to leave the South Street hump as is until the workshop.

Consensus: **FORWARD THE INSTALLATION OF SPEED HUMPS EAST OF THIRD STREET TO THE JULY WORKSHOP MEETING.**

#### **VARIANCES**

V05-18  
Stewart  
203 Ocean Front

**VARIANCE REQUEST OF MR. LOUIS STEWART, 203 OCEAN FRONT:** Due to the absence of the applicant, Mr. Louis Stewart, the variance request was deferred to the regular August meeting.

Consensus: **DEFER THE VARIANCE REQUEST OF MR. LOUIS STEWART, 203 OCEAN FRONT TO THE AUGUST REGULAR MEETING.**

#### **ORDINANCES**

Ord. 2005-09

**ORDINANCE NO. 2005-09 DANGEROUS DOGS, SECOND READ & PUBLIC HEARING:** AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 6 SEC. 6-1 DEFINITIONS, SEC. 6-2 BIRD SANCTUARY; EXCEPTION, SEC. 6-4 NUISANCES CAUSED BY ANIMALS, SEC. 6-27 LEASH REQUIRED; EXCEPTION, SEC. 6-31 REGISTRATION AND LICENSING REQUIRED AND SEC. 6-32 DOGS ON THE BEACH; ADDING SEC. 6-10 INTERFERENCE WITH AUTHORIZED PERSONNEL IN PERFORMANCE OF DUTIES; BREAKING INTO OFFICIAL PROPERTY, ETC, SEC. 6-11 LEGISLATIVE FINDINGS, SEC. 6-12 INJURIES CAUSED BY ANIMALS, SEC. 6-13 DANGEROUS DOGS, SEC. 6-14 CLASSIFICATION OF DOGS AS DANGEROUS; CERTIFICATION OF REGISTRATION; NOTICE AND HEARING REQUIREMENTS; CONFINEMENT OF ANIMAL EXEMPTION; APPEALS; UNLAWFUL ACTS, SEC. 6-15 ATTACK OR BITE BY DANGEROUS DOG; PENALTIES; CONFISCATION; DESTRUCTION AND SEC. 6-16E BITE BY A POLICE OR SERVICE DOG; EXEMPTION FROM QUARANTINE AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown read Ordinance 2005-09 by title only and opened the public hearing.

Lynda Padrta, 1113 First Street, favored Ordinance No. 2005-09.

Harriet Christovich, 110 Seagate Avenue, favored Ordinance No. 2005-09.

Alan Martin, 1113 First Street, felt animal licensing law should be enforced. He also favored Ordinance No. 2005-09.

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

Councilor Pardee stated he had some concerns regarding various sections of the Ordinance.

Vice Mayor Pruette supported taking Ordinance No. 2005-09 to the July workshop meeting to consider Councilor Pardee's concerns.

Consensus: **TO SEND THE ANIMAL ORDINANCE TO THE JULY WORKSHOP TO ADDRESS COUNCIL PARDEE'S CONCERNS.**

Moved by Weldon, seconded by Pruette.

Motion: **TO APPROVE ORDINANCE NO. 2005-09 AS AMENDED.**

Roll Call Vote:

Ayes: 4 – Shealy, Pruette, Weldon, Brown

Noes: 1 – Pardee

MOTION CARRIED

**NEW BUSINESS**

Waste Services

COST OF LIVING RATE INCREASE FOR WASTE SERVICES OF FLORIDA: City Manager Jarboe stated the contract with Waste Services allowed them to request a cost of living increase.

City Attorney White stated he would like to review the contract with the City Manager and asked to forward the cost of living increase to the August workshop meeting.

Consensus: **FORWARD THE COST OF LIVING INCREASE FOR WASTE SERVICES TO THE JULY WORKSHOP MEETING.**

Res. No. 2005-06

RESOLUTION NO. 2005-06. BOARD APPOINTMENTS: A RESOLUTION APPOINTING BOARD MEMBERS TO THE PLANNING AND DEVELOPMENT REVIEW BOARD.

Moved by Weldon, seconded by Pruette.

Motion: **TO APPROVE RESOLUTION NO. 2005-06.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Adjournment

There being no further business, the meeting adjourned at 8:33 p.m.

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Richard A. Brown, Mayor

ATTEST:

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Lisa Volpe, CMC, City Clerk

Approved:

