



MINUTES
WORKSHOP CITY COUNCIL MEETING
JULY 18, 2005, AT 7:08 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 July 18, 2005 at 7:08 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

Call to Order/Roll Call Mayor Brown called the meeting to order at 7:08 p.m.

PRESENTATIONS / NONE

COMMITTEE REPORTS / NONE

CITY MANAGERS ACTION LIST

City Manager Jarboe explained the Corp of Engineers made a mistake in their calculations and therefore would be adding 1500 linear feet of sand for beach renourishment in Neptune Beach.

Councilor Weldon questioned the status of the replacement of the Kings Road Bridge adding that it was a number one priority at the Goal Setting Session. City Manager Jarboe stated he was continuing to work with Florida Department of Transportation for funding. Councilor Weldon suggested exploring alternate routes.

Vice Mayor Pruette asked if the Florida Department of Transportation had completed the Hopkins Creek Project. City Manager Jarboe replied the project was complete and he was working on getting a representative from FDOT to attend a Council meeting and give an update.

Councilor Pardee explained there may have been a misunderstanding regarding the Dangerous Dog Ordinance at the previous Council meeting. Dogs on the beach were still required to be leashed.

PUBLIC COMMENTS

City Manager Jarboe explained for the benefit of the public that Director of Public Safety Chief Sembach was currently conducting an in house electronic study monitoring the number of vehicles and speed of which they were traveling, on every street east of Third Street. He hoped to have the results in four to six weeks and would make a recommendation regarding the placement of speed humps.

The following residents favored the placement of speed humps east of Third Street:

1. Candy Sullivan, 220 South Street
2. Bryan Croft, 218 South Street
3. Skip Lakey, 227 South Street
4. Tracey Lakey, 227 South Street
5. Paul Nicholson, 222 Oleander Street
6. Dina Sayar, 318 Oleander Street
7. Lynda Padrta, 1113 First Street
8. Mary Ann Padrta, 1030 Second Street
9. Chris Oakley, 620 Camellia Terrace Drive
10. Charlotte Wilson, 556 Hopkins Street
11. Robert McGinty, 209 South Street
12. Lynn Sweeney, 1500 Strand Street
13. Marsha Coker, 206 Margaret Street
14. Tom Shaw, 202 Margaret Street
15. Wayne Scarborough, Jr., 224 Bowles Street
16. Geynell Mohr, 225 Margaret Street
17. Paul West, 236 Bowles Street
18. Chris Chin, 227A Margaret Street

The following residents opposed the placement of speed humps east of Third Street:

1. Patrick Clyne, 1210 Ocean Front
2. James Lee, 246 Myra Street
3. Bryan McDonald, 107 North Street
4. John Northrup, 255 Myra Street
5. Tom Byerly, 527 South Street
6. Jeff Peterson, 1300 Strand Street
7. David Miller, 101 Rose Place
8. George Felts, 100 Rose Place
9. Mary Ellen Young, 246 Myra Street
10. Helen Felts, 100 Rose Place
11. Lynne Womack, 101 Rose Place
12. Lynn Shimp, 1109 First Street
13. Lynn Lacey, 1110 First Street
14. Tina Bernardi, 120 Rose Place
15. Wendy McDonald, 107 North Street
16. Charlie Miller, 512 South Street
17. Julie Peterson, 1300 Strand

Mary Ann Padrta, 1030 Second Street, also felt homeowners should receive copies of animal citations issued to their tenants.

Recess / Reconvene Mayor Brown called for a recess at 8:30 p.m. and reconvened the meeting at 8:40 p.m.

PROPOSED ORDINANCES

Ord. No. 2005-XX ORDINANCE NO. 2005-XX, AMENDING THE PROCESS FOR SURPLUS OF CITY EQUIPMENT: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 2, ADMINISTRATION ARTICLE VI FINANCE BY ADDING SECTION 2-364 SURPLUS PROPERTY AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe explained this Ordinance would allow the City to dispose of surplus items valued under \$750.00 without the consent of Council, which was currently allowed under the current state law.

Consensus: **FORWARD TO THE AUGUST REGULAR MEETING FOR FIRST READ.**

Ord. No. 2005-XX ORDINANCE NO. 2005-XX, AMENDING THE SECURITY DEPOSITS FOR COMMERCIAL UTILITIES: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 23 UTILITIES ARTICLE IV WATER AND SEWER SERVICE CHARGES AMENDING SECTION 23-83(G) SECURITY DEPOSITS AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe explained the auditors requested the amount of commercial utility deposits be raised due to the number of delinquencies from businesses going out of business.

Consensus: **FORWARD TO THE AUGUST REGULAR MEETING FOR FIRST READ.**

CONTRACTS / AGREEMENTS

Waste Services WASTE SERVICES OF FLORIDA – REQUESTS FOR FUEL INCREASE AND COST OF LIVING INCREASE: City Manager Jarboe stated at the previous workshop the Council agreed to the 3.5% cost of living increase and had forwarded the requested fuel increase for further discussion.

City Attorney White stated under the current contract either side could request adjustments. The adjustment should be granted if requested 60 days before the anniversary date of the contract. His opinion was the cost of living increase adjustment could be granted but Waste Services of Florida were not entitled to the fuel increase.

Steve Wright, General Manager, Waste Services of Florida, explained their three year contract for fuel at a cost of \$1.31 per gallon had expired in March and they were now paying \$2.12 per gallon. The proposed increase was calculated based on the amount of fuel used. Mr. Wright also stated the City of Atlantic Beach had granted the fuel increase.

Councilor Weldon stated he would like to review further information before granting a fuel adjustment.

Consensus: **TO GRANT THE 3.5% COST OF LIVING INCREASE FOR WASTE MANAGEMENT EFFECTIVE JUNE 1, 2005, AND FORWARD THE REQUESTED FUEL INCREASE TO THE AUGUST WORKSHOP MEETING PROVIDING WASTE MANAGEMENT PRESENTS FURTHER DATA SUPPORTING THE REQUEST.**

Carribee Key

CARRIBBEE KEY – RENEWAL OF ANNUAL SIDEWALK LEASE AGREEMENT: John Brocato, owner of Carribee Key explained the outdoor seating arrangement was working well and he would like to extend the lease agreement for another year.

Vice Mayor Pruette suggested a 5% increase in the lease amount and questioned Mr. Brocato regarding the relocation of the personalized bricks.

Mr. Brocato agreed to the 5% increase and agreed to meet with Patsy Bishop of the Town Center Agency to replace and relocate the personalized bricks.

Consensus: **INCREASE THE LEASE AMOUNT 5% AND FORWARD THE LEASE RENEWAL TO THE AUGUST REGULAR MEETING CONSENT AGENDA.**

ISSUE DEVELOPMENT

Traffic Calming

TRAFFIC CALMING STUDY – SPEED HUMPS: City Manager Jarboe restated that Director of Public Safety David Sembach was currently using equipment to measure traffic and speed on the streets east of Third Street. The Chief would then make a recommendation based on the results of the study. He hoped to have the study completed in four to six weeks. Mr. Jarboe added the Chief was also concerned about bicyclist on First Street being a potential danger.

Vice Mayor Pruette suggested while the Chief was gathering information to go ahead and bring the speed humps on Hopkins Street and South Street into compliance with ITE standards. She also felt the city should have a speed hump policy.

Councilor Weldon recommended placing the speed limit signs on the east/west streets before the data was collected by the chief.

Mayor Brown felt time should be allowed for the study without rushing.

Chief Sembach stated he could only study one street every two days. He also stated the city should adopt a speed hump policy.

Councilor Weldon would like to review data on accidents and would like to hear recommendations regarding safety on First Street.

Consensus: **BRING THE SPEED HUMPS ON HOPKINS STREET AND SOUTH STREET INTO COMPLIANCE WITH ITE STANDARDS.**

Third St. Fencing

FENCE REQUIREMENTS FOR BACKYARDS FACING THIRD STREET: Mayor Brown suggested an Ordinance requiring backyards facing Third Street to have a privacy fence in order to benefit the tenants as well the city's appearance.

City Attorney White suggested looking at what the city requirements were when the properties were built. If fences were not required at the time of construction the Ordinance would be difficult to enforce.

Community Development Director Jason Cleghorn advised the Council he would gather information on the history of the property.

Res. No. 2005-XX

RESOLUTION NO. 2005-XX: A RESOLUTION RENAMING ELEVENTH STREET – SANDY'S WAY.

Councilor Pardee recommended renaming Eleventh Street after Sandy Forsyth, the owner of Aqua East Surf Shop, who recently passed away.

Councilor Weldon felt careful attention should be given when assigning a personal name to public property. It should also be required that the person had been active in community.

Councilor Shealy did not feel it was necessary to rename the street.

Vice Mayor Pruette stated she did not believe in renaming public property. She recommended naming the easement on the opposite side of Aqua East after Mr. Forsyth.

Consensus: **TO DEFER RESOLUTION NO. 2005-XX AND EXPLORE OTHER IDEAS.**

Res. No. 2005-XX

RESOLUTION NO. 2005-XX: A RESOLUTION ESTABLISHING FEES TO BE CHARGED FOR VARIOUS APPLICATIONS.

Community Development Director Jason Cleghorn explained the current fees for variance requests, special exceptions, and tree permits did not cover the city's cost of postage, copies, signs, and advertising. He recommended increasing the fees for variances and special exceptions from \$110.00 to \$250.00 and establishing a \$10.00 fee for tree permits.

Councilor Weldon stated when the tree ordinance was adopted it was agreed there would be no charge for tree permits. He did not oppose increasing the fees for variances and special exceptions.

Vice Mayor Pruette did not oppose increasing the fees for variances and special exceptions. She opposed the tree permit fee but wanted to discuss the tree ordinance at a future workshop meeting because it may be too restrictive.

Councilor Pardee stated the council was in the process of scheduling meetings with the boards in order to become informed in the process and procedures and did not want to raise the fees unless the city could provide better service.

Mayor Brown also agreed to support the \$250.00 increase for variances and special exceptions.

Consensus: **REMOVE THE \$10.00 FEE FOR ARBOR PERMITS AND FORWARD THE RESOLUTION TO THE AUGUST REGULAR MEETING.**

Animal Ord.

ANIMAL ORDINANCE CONCERNS: City Manager Jarboe stated Councilor Pardee had some concerns regarding the animal ordinance that was adopted at the July Regular Council meeting.

Councilor Pardee was concerned that Neptune Beach residents had to pay for animal license tags and non-residents did not.

Consensus: **TO ELIMINATE SECTION 6-31, REGISTRATION AND LICENSING REQUIREMENTS.**

Councilor Pardee was concerned that Section 6-4(a)(2) Nuisances caused by animals,

was not necessary because it was covered under the noise ordinance.

Consensus: **TO ELIMINATE SECTION 6-4(a)(2).**

Councilor Pardee felt the definition of an animal control officer needed to include that they should be bound, trained and certified as directed in Florida State Statute 828.27.

Discussion ensued regarding the definition of animal control officer. The Council did not feel it was necessary to change the definition in the ordinance because it was in the State Statute.

Vice Mayor Pruette suggested changing the time limit in Section 6-4(b) from seven (7) full calendar days to fifteen (15) full calendar days.

Consensus: **TO CHANGE SECTION 6-4(b) FROM SEVEN (7) TO FIFTEEN (15) FULL CALENDAR DAYS.**

Consensus: **TO FORWARD THE ORDINANCE TO THE REGULAR AUGUST COUNCIL MEETING FOR FIRST READ.**

75TH Anniversary

CITY OF NEPTUNE BEACH – 75TH ANNIVERSARY CELEBRATION FAIR / FESTIVAL:
Director of the Senior Activity Center Leslie Lyne asked the Council for their approval of the tentatively scheduled dates of Friday, October 20th through Sunday October 22nd, 2006 for the 75th Anniversary Celebration. This was the best weekend available for the carnival company. She stated there would be rides and the city would receive 20% of the profit.

Consensus: **TO MOVE AHEAD WITH PLANS FOR THE CELEBRATION ON THE SCHEDULED DATES OF OCTOBER 20-22, 2006.**

Adjournment

There being no further business, the meeting adjourned at 10:30 p.m.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____