



MINUTES
WORKSHOP CITY COUNCIL MEETING
JANUARY 30, 2006 AT 7:00 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 January 30, 2006 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 Fred Lee
Councilor Eric Pardee
Councilor John Weldon
City Attorney Christopher White
City Manager Jim Jarboe
City Clerk Lisa Volpe, CMC

STAFF:

Community Development Director Jason Cleghorn
Assistant to the City Manager Terry Klein
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 7:00 p.m.

PRESENTATIONS / NONE

COMMITTEE REPORTS / NONE

CITY MANAGERS ACTION LIST

City Manager Jarboe reported the following:

- Florida Boulevard Landscaping is waiting to be bid.
- Kings Road Bridge was on the agenda for discussion.
- The contract for the A1A Landscaping Project was signed and work should begin tomorrow.
- The new computer software system was in the conversion process and should be completed March 1st.
- Efforts were underway at Public Services to bring the level of sewer nitrogen up to new state requirements.
- The budget process for FY2006-2007 would begin soon.

- The Audit Report should be completed within the next 60 days.

PUBLIC COMMENTS

Hays Bishop, 1443 Spindrift Circle East, supported side yard garbage collection one day per week, recycling collection one day per week and Monday yard waste pick up.

John Moreland, 1702 Second Street, Jacksonville Beach, President of the Beaches Resource Center Foundation, requested a contribution from the city for support the of center.

Steven Carter, 1723 Indian Woods Drive, supported continuing maintenance of the Kings Road Bridge in lieu of a total replacement, due to the excessive costs.

Jay Ambler, 1424 Forest Avenue, questioned when the joint council meeting with the City of Jacksonville Beach, regarding the Kings Road Bridge, would take place.

Tracey Lakey, 227 South Street, supported speed humps.

James Lee, 246 Myra Street, supported having a Speed Hump Policy in place before replacement of the old speed bumps in order to ensure fairness.

David Wicker, 427 South Street, supported speed humps.

Ernie Clark, 420 South Street, supported speed humps.

Donald Rogers, 1400 Neptune Grove Drive West, favored the continuance of side yard garbage collection.

Jo Anne Hoffman, 130 Sand Castle Way, preferred yard waste collection on Monday's.

PROPOSED ORDINANCES

Ord. No. 2006-XX

ORDINANCE NO. 2006-XX, AMENDING CHAPTER 27, UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE XV: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 27 UNIFIED LAND DEVELOPMENT REGULATIONS ARTICLE XV ADVERTISING BY AMENDING SECTION 27-595 PROCEDURE FOR APPEAL AND PROVIDING AN EFFECTIVE DATE.

City Attorney Chris White explained the ordinance would bring the City into compliance with a recent court ruling allowing appeals for sign permits immediate access to the court system, bypassing the Board of Appeals.

Councilor Weldon agreed to sponsor the Ordinance.

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

CONTRACTS / AGREEMENTS

Garbage Proposals

GARBAGE REQUEST FOR PROPOSALS INFORMATION: City Manager Jarboe stated the current contract for waste services would expire in June. An Executive Summary explaining six different options and their associated cost was provided to the Council in the agenda packets. He would like to begin the contract negotiation as soon as possible.

OPTION 1: This residential option would keep services as they are currently, including 2 day per week side yard garbage pickup, one day per week recycling, and Monday yard waste pickup. The rates for this option would increase from the current \$13.00 per month to approximately \$20.00 per month.

OPTION 2: This residential option would keep services as they are currently, including 2 day per week side yard garbage pickup, one day per week recycling, but changing to any weekday yard waste pickup. The rates for this option would increase from the current \$13.00 per month to approximately \$18.25 per month.

OPTION 3: This residential option would eliminate side yard pickup and include 2 day per week garbage pickup, one day per week recycling and Monday yard waste pickup. The rates for this option would increase from the current \$13.00 per month to approximately \$16.50 per month.

OPTION 4: This residential option would eliminate side yard pickup and include 2 day per week garbage pickup, one day per week recycling and any weekday yard waste pickup. The rates for this option would increase from the current \$13.00 per month to approximately \$14.75 per month.

OPTION 5: This residential option would eliminate side yard pickup and include 1 day per week garbage pickup, one day per week recycling and Monday yard waste pickup. The rates for this option would increase from the current \$13.00 per month to approximately \$16.00 per month.

OPTION 6: This residential option would eliminate side yard pickup and includes 1 day per week garbage pickup, one day per week recycling and any weekday yard waste pickup. The rates for this option would increase from the current \$13.00 per month to approximately \$14.25 per month.

A lengthy discussion ensued regarding the various options and rates.

City Manager Jarboe stated he checked the references of each of the firms and they were all qualified and reputable.

For the Record Councilor Weldon stated for the record he preferred option number one; of which Waste Pro had the most attractive rate proposal.

Mayor Brown stated he would like to gather more information and public input before making a final decision.

City Manager Jarboe suggested holding a special meeting before the February workshop to select the service and provider.

City Clerk Lisa Volpe stated City Hall would be closed February 20th for Presidents Day and asked Council to schedule the Workshop meeting for February 13th or 27th.

Consensus: **TO HOLD A SPECIAL MEETING TO SELECT A WASTE SERVICES PROVIDER BEFORE THE WORKSHOP MEETING ON FEBRUARY 13TH.**

911 Salary

911 SALARY REIMBURSEMENTS FY 2005-2006: City Manager Jarboe explained the annual interlocal agreement reimbursed dispatchers salaries using the 911 tax collected from the telephone service.

Consensus: **FORWARD TO THE FEBRUARY CONSENT AGENDA.**

ISSUE DEVELOPMENT

Beaches Resource Center

REQUEST FOR CONTRIBUTION FOR BEACHES RESOURCE CENTER: This annual contribution request was for the support of the Beaches Resource Center. The city donated \$2,000 in 2005 and \$4,000 in 2004.

City Manager Jarboe explained the donation would come from the contingency funds.

Discussion ensued regarding budget restraints and the amount of the contribution.

Councilor Weldon questioned the remainder of the contingency fund from the previous year. Director of Finance Steve Ramsey replied the remainder of the contingency fund for the 2005 was \$25,000.

Mayor Brown suggested the city contribute \$3,000.00 this year.

Vice Mayor Pruette requested that a separate fund for contributions be included in future budgets.

Consensus: **TO CONTRIBUTE \$3,000 TO THE BEACHES RESOURCE CENTER AND FORWARD TO THE FEBRUARY CONSENT AGENDA.**

Taser Purchase

APPROVAL OF TASER PURCHASE WITH FORFIETURE FUNDS: City Manager Jarboe stated the tasers would provide another option for police officers, other than the use of a deadly weapon.

Consensus: **FORWARD THE APPROVAL OF TASERS TO THE FEBRUARY CONSENT AGENDA.**

Speed Hump Policy

SPEED HUMP POLICY: Chief Sembach and Councilor Weldon both submitted a draft for the proposed speed hump policy.

Councilor Pardee felt Chief Sembach's policy covered all of the issues.

Councilor Weldon stated his draft avoided pitting neighbor against neighbor. He did not agree with the following language presented in Chief Sembach's drafted policy:

Justification for the Place of Speed Humps:

- 1) The 85th percentile speed of the street being 5 miles per hour or greater than the posted speed limit.
- 2) A petition, with verified signatures, will be submitted from at least 67% of households on the street approving the installation.
- 3) An average daily traffic volume will be no less than 200 vehicles per day.

Vice Mayor Pruette supported replacing the old speed bumps with speed humps.

Councilor Lee supported moving forward with the replacement of speed bumps with ITE compliant speed humps, providing the work would be completed by the Public Services Department, and from there move forward with a speed hump policy.

Mayor Brown suggested moving forward with the replacement of the bumps with humps while continuing to work on the language for a Speed Hump Policy.

Consensus: **TO FORWARD THE REPLACEMENT OF SPEED BUMPS FOR SPEED**

HUMPS ON THE FOLLOWING STREETS: CHERRY STREET (200 BLOCK); CAMILLIA TERRACE DRIVE; HAGGLER DRIVE; SOUTH STREET (400 BLOCK) CEDAR STREET AND HAGLER DRIVE; GOLDENROD LANE AND OLEANDER STREET (200 BLOCK)- TO THE FEBRUARY CONSENT AGENDA AND FORWARD THE SPEED HUMP POLICY TO THE FEBRUARY WORKSHOP AGENDA.

- Recess/ Reconvene Mayor Brown called a recess at 9:00 p.m. and reconvened the meeting at 9:12 p.m.
- Kings Rd. Bridge KINGS ROAD BRIDGE: City Manager Jarboe stated the following options and estimates for the Kings Road Bridge issue were included in the agenda packet.
- OPTION # 1: Concrete Replacement Bridge at Kings Road, total estimated cost of \$1,000,000.
- OPTION # 2: Wood Replacement Bridge at Kings Road, total estimated cost of \$200,000 to \$275,000 depending on the width of bridge to widen flow.
- OPTION # 3: Seagate Avenue Causeway Rebuild, total estimated cost of \$1,500,000 to \$2,000,000.
- OPTION # 4: Opening of Jacksonville Beach Gate, total estimated cost of \$0.
- OPTION # 5: Opening Jacksonville Beach gate and Enlarging the Creeks Flow, total estimated cost of \$300,000 plus.
- OPTION # 6: Maintenance of Existing Bridge, total estimated cost of \$100,000 over a thirty year period.
- Councilor Pardee agreed replacement of the Kings Road Bridge was not a crisis and the city should continue maintaining the current bridge.
- Councilor Weldon stated the longer the city waited to replace the bridge the more it would cost. He suggested acquiring a realistic cost estimate for a wooden bridge.
- Vice Mayor Pruette felt the concrete bridge was out of our price range and the replacement of the bridge was not an immediate problem.
- Councilor Lee questioned how long the Kings Road Bridge had been on the list for replacement by the Florida Department of Transportation. Director of Public Services Leon Smith responded it has been on the list for 2 or 3 years and it could be another 7 to 10 years before they considered it a priority but there was no guarantee.
- Councilor Lee agreed with Councilor Weldon that the bridge needed to be replaced. He supported the request for a real cost estimate for a wooden bridge.
- City Manager Jarboe explained to acquire a real estimate the city would need to advertise requests for proposals for a design/build project with basic specifications.
- Councilor Lee questioned how a new bridge would be paid for. City Manager Jarboe replied \$350,000 had been set aside from the Better Jacksonville Plan. The remainder would need to be borrowed.
- Consensus: **TO REQUEST PROPOSALS FOR A DESIGN / BUILD PROJECT FOR A WOODEN BRIDGE TO REPLACE THE KINGS ROAD BRIDGE.**

Tree Protection &
Landscaping

ARTICLE 9. TREE PROTECTION AND LANDSCAPING: City Manager Jarboe explained the following proposed changes to the Tree Protection & Landscaping:

Section 27-445 Permit required for tree removal or relocation (4) Pine and Palm trees of all species are not considered regulated trees by this Article and no arbor permit is needed for their removal.

Section 27-446 Permit application procedures (1)(d) For pruning of ~~six-inch~~ eight (8) inch or larger diameter limbs on regulated trees, an arbor permit will be required. This provision relates to pruning or alteration only, and applies to any development.

Section 27-448 Champion and Heritage Trees (2)(a)(7) ~~Longleaf pine (pinus palustris) 20 inches in diameter or greater.~~

Section 27-452 Unauthorized removal of or damage to regulated trees (1) If a regulated tree, to include heritage or champion trees as defined in Section 27-448, is removed without permit, or is altered or damaged such that the likelihood for disease or premature death is increased, the tree removal contractor and / or property owner shall pay a fine of one hundred dollars (\$100.00) per diameter inch of the trunk, measured at four and one-half (4.5) feet above the ground. In the event that a tree has been completely removed from the site, the measurement will be taken as the diameter of the remaining stumps. In the event that no portion of a stump remains, documents such as a tree survey, building plans, etc. may be used to determine the size of the regulated tree removed. ~~The city manager may, at his discretion, allow other appropriate remedial action in lieu of this fine. Such decisions shall be made on a case by case basis. No Exceptions to this fine shall be made by the city manager in the case of heritage or champion trees that are illegally removed. All violations~~ of Section 27-452 shall be reviewed by the Code Enforcement Board for disposition.

Section 27-452 Unauthorized removal of or damage to regulated trees (3) All fines imposed by the Code Enforcement Board for unauthorized removal or damage of regulated trees shall be paid to the City of Neptune Beach.

Section 27-453 Procedure for appeal Any decision that is made in the administration ~~or enforcement~~ of this article may be appealed within ~~thirty (30) fifteen (15)~~ days of said decision to the ~~City Council as provided for in article III~~ Board of Appeals for final disposition as specified in Section 27-133. The Board of Appeals through competent testimony may, in their discretion, affirm, overturn, or modify any decision made in the administration of this article.

Appeals of the enforcement of this article by the Code Enforcement Board shall be made as provided for in Section 2-445.

Councilor Weldon suggested making the following changes:

Section 27-452(1) All violations of Section 27-452 shall be ~~reviewed by~~ deferred to the Code Enforcement Board for disposition.

Section 27-453 Any ~~decision that is made in the administration~~ denial made by city staff ~~or enforcement of this article~~ may be appealed to the Board of Appeals.

Consensus: **FORWARD WITH SUGGESTED CHANGES TO THE FEBRUARY REGULAR MEETING FOR FIRST READ.**

Fences, Walls, & Hedges

SECTION 27-330, FENCES, WALLS AND HEDGES: The proposal would change the definition of Hedge in the ULDC Article 1, Chapter 27, currently defined as "a continuous, dense planting of shrubs." The new definition would be "Hedge means a fence formed by a row of closely planted shrubs or bushes, typically of such species as English Privet, Indian Hawthorne, Ligustrum or other such evergreen species. This definition is not intended to include other closely planted species commonly referred to as flowering plants such as azaleas, roses, or other such plants that are not usually planted to establish a boundary or fence-like effect."

Mayor Brown stated regulating hedges was unrealistic and he was uncomfortable doing so.

Councilor Pardee stated he would prefer to completely remove hedges from the Section.

Consensus: **FORWARD TO THE REGULAR FEBRUARY MEETING.**

Subdividing of Lots

SUBDIVIDING OF LOTS: City Manager Jarboe stated this item would be forwarded to a future agenda. He was concerned that lots were being subdivided and sold illegally without approval of the city or the awareness of the buyer.

Mayor Brown stated the City of Jacksonville has opened the Interlocal Agreement for review and it could have a severe impact on the beaches' cities.

Councilor Pardee attended several courses on hurricane preparedness for elected officials and was looking forward to the FEMA Workshop meetings.

Adjournment

There being no further business, the meeting adjourned at 10:14 p.m.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____