



MINUTES
REGULAR CITY COUNCIL MEETING
MARCH 6, 2006 7:00 P.M.
CITY HALL, 116 FIRST STREET
NEPTUNE BEACH, FLORIDA

Pursuant to proper notice a Regular Meeting of the City Council of the City of Neptune Beach was held March 6, 2006 at 7:25 p.m., in the City Hall Council Chambers, 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
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 7:00 p.m.

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS

City Manager Jarboe introduced Don Ford, the new Building Official.

CITY OF ATLANTIC BEACH COMMISSIONER DEZMOND WATERS - WELCOME SIGN: City of Atlantic Beach Commissioner Dezmond Waters, urged the Council to consider sharing the cost of a welcome sign with Atlantic Beach. He suggested using the money from the bed tax revenue.

GARY FISKE, NEPTUNE BEACH VOLUNTEERS: Former Neptune Beach Volunteer Firefighter Gary Fiske presented Mayor Brown and the City of Neptune Beach a framed photograph taken at their first reunion. Cathy Tucker, representing Firehouse Sub's presented Mayor Brown and the City an original photograph of the Neptune Beach Volunteer Firefighters taken back in 1965.

Councilor Weldon had to leave due to a family emergency at 7:40 p.m.

APPROVAL OF MINUTES

City Clerk Lisa Volpe explained after distribution of the minutes to the Council an error was located in the "Speed Hump Policy" and had since been corrected.

Moved by Pruette, seconded by Pardee.

Motion: **TO APPROVE THE FOLLOWING MINUTES WITH AN AMENDMENT TO THE FEBRUARY 13, 2006 WORKSHOP MEETING:**

JANUARY 30, 2006 WORKSHOP COUNCIL MEETING
FEBRUARY 6, 2006 REGULAR COUNCIL MEETING
FEBRUARY 13, 2006 SPECIAL COUNCIL MEETING
FEBRUARY 13, 2006 WORKSHOP COUNCIL MEETING (AS AMENDED)

Roll Call Vote:

Ayes: 4 – Lee, Pardee, Pruette, Brown

Noes: 0

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Vice Mayor Pruette stated she had written a memo to City Manager Jarboe requesting an increase in the wattage on the streetlight bulb at the Margaret Street beach access. This would be a one time exception for Mr. Warren, who is legally blind. City Manager Jarboe explained the streetlight policy was created by the Council and needed Council approval for exceptions.

Consensus: **FORWARD TO THE MARCH WORKSHOP MEETING FOR DISCUSSION.**

Mayor Brown stated the Beaches Historical Society Museum had their grand opening celebration over the past weekend. It was very successful and he urged everyone to visit the museum.

CITY MANAGER REPORT

City Manager Jarboe stated the islands on Third Street / A1A had been cleared for the new landscaping. The landscape contractor was waiting for the new palm trees to be delivered. The old palm trees already in the islands were being relocated throughout the city.

City Manager Jarboe asked the Council if they had any objections to asking Town Center merchants to place a fence around garbage dumpsters located on public property.

Consensus: **TO ALLOW THE CITY MANAGER TO ASK TOWN CENTER MERCHANTS TO FENCE GARBAGE DUMPSTERS LOCATED ON PUBLIC PROPERTY.**

PUBLIC COMMENTS

The following citizens spoke in opposition of Resolution 2006-04, feeling that some amendments needed to be made to the "Speed Hump Policy" :

- Patrick Clyne, 1210 Ocean Front
- James Lee, 244 Myra Street
- David Miller, 101 Rose Place

Candy Sullivan, 220 South Street, spoke in favor of Resolution 2006-04, "Speed Hump Policy".

CONSENT AGENDA / NONE

VARIANCES / NONE

ORDINANCES

Ord. No. 2006-01

ORDINANCE NO. 2006-01, AMENDING CHAPTER 27, UNIFIED LAND DEVELOPMENT REGULATIONS, ADVERTISING, SECOND READ AND PUBLIC HEARING: 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.

Mayor Brown read Ordinance No. 2006-01 by title only and opened the public hearing.

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

Moved by Pruette, seconded by Lee.

Motion: **TO ADOPT ORDINANCE NO. 2006-01 ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

Ayes: 4 – Lee, Pardee, Pruette, Brown

Noes: 0

MOTION CARRIED

Ord. No. 2006-02

ORDINANCE NO. 2006-02, AMENDING CHAPTER 27, UNIFIED LAND DEVELOPMENT REGULATIONS, TRE PROTECTION & LANDSCAPING, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 27 UNIFIED LAND DEVELOPMENT REGULATIONS ARTICLE IX TREE PROTECTION BY AMENDING SEC. 27-445(a)(4) PERMIT REQUIRED FOR TREE REMOVAL OR RELOCATION; SEC. 27-448(2)(A)(7-11) CHAMPION AND HERITAGE TREES; SEC. 27-542(1) & (2) UNAUTHORIZED REMOVAL OF OR DAMAGE TO REGULATED TREES; SEC. 27-453 PROCEDURE FOR APPEAL; SEC. 27-445(10) MINIMUM LANDSCAPE REQUIREMENTS AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown read Ordinance No. 2006-02 by title only and opened the public hearing.

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

City Manager Jarboe stated Councilor Weldon suggested adding the following language at the of the sentence in Section 27-445(a)(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 from private property.

Consensus: **TO ADD “FROM PRIVATE PROPERTY” TO THE END OF THE SENTENCE AT SECTION 27-445(A)(4) AS SUGGESTED BY COUNCILOR WELDON.**

Moved by Pruette, seconded by Pardee.

Motion: **TO ADOPT ORDINANCE NO. 2006-02 AS AMENDED ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

Ayes: 4 – Lee, Pardee, Pruette, Brown

Noes: 0

MOTION CARRIED

Ord. No. 2006-03

ORDINANCE NO. 2006-03, AMENDING CHAPTER 27, UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE I, SECTION 27-15 DEFINITIONS, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 27 UNIFIED LAND DEVELOPMENT REGULATIONS ARTICLE I IN GENERAL BY AMENDING SECTION 27-15 DEFINITIONS AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown read Ordinance No. 2006-03 by title only and opened the public hearing.

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

Moved by Pardee, seconded by Pruette.

Motion: **TO ADOPT ORDINANCE NO. 2006-03 ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

Ayes: 4 – Lee, Pardee, Pruette, Brown

Noes: 0

MOTION CARRIED**OLD BUSINESS / NONE****NEW BUSINESS**

Res. No. 2006-04

RESOLUTION NO. 2006-04: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA ESTABLISHING A "SPEED HUMP POLICY".

Vice Mayor Pruette stated after hearing from citizens during public comments she had concerns about the Speed Hump Policy. She would support the policy; however she would like to address those concerns at the March workshop meeting.

Councilor Lee stated he also had concerns after listening to the citizens during the public comments.

Moved by Pruette, seconded by Lee.

Motion: **TO ADOPT RESOLUTION NO. 2006-04 WITH THE UNDERSTANDING IT WOULD BE FORWARDED TO THE WORKSHOP MEETING.**

Roll Call Vote:

Ayes: 4 – Lee, Pruette, Brown

Noes: 1 – Pardee

MOTION CARRIED

Res. No. 2006-05

RESOLUTION NO. 2006-05: A RESOLUTION APPOINTING BOARD MEMBERS TO THE CODE ENFORCEMENT BOARD.

The appointee's were absent from the assembly and therefore could not be introduced to the Council.

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

Verizon

VERIZON SPECIAL USE PERMIT AS REQUIRED BY CHAPTER 29: City Manager Jarboe explained the Verizon Lease Agreement on the water tower was previously approved by the Council. They have met all of the requirements in Section 29 in order to be issued the special use

permit.

Mayor Brown opened the public hearing.

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

Moved by Pardee, seconded by Lee.

Motion: **TO APPROVE A SPECIAL USE PERMIT FOR VERIZON WIRELESS.**

Roll Call Vote:

Ayes: 4 – Lee, Pardee, Pruette, Brown

Noes: 0

MOTION CARRIED

Adjournment

There being no further business, the meeting adjourned at 8:30 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____