



MINUTES
REGULAR CITY COUNCIL MEETING
APRIL 3, 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 April 3, 2006 at 7:00 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
 Senior Activities Center Director Leslie Lyne
 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

Mayor Brown presented a Proclamation of Appreciation to Mr. James Stinekraus honoring him for his many years of service on the Board of Appeals.

Director of Beaches Emergency Assistance Ministry (BEAM), Mrs. Cindy Funkhouser asked the Council to consider adopting a Resolution supporting the elimination of the CAP of the Florida Housing Trust Funds.

APPROVAL OF MINUTES

Moved by Weldon, seconded by Pruette.

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

MARCH 6, 2006, REGULAR COUNCIL MEETING
MARCH 20, 2006 WORKSHOP COUNCIL MEETING

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Mayor Brown commended Chief Sembach and the Police Department for being re-accredited.

Vice Mayor Pruette, announced the annual "Spring in the Park" event would be held on Friday, April 14th, 2006. The Easter Egg Hunt will start at 10:00 a.m. and there will be a lot of other activities for the children to enjoy.

Councilor Lee had written a memo to place supporting the commissioning of the new navy destroyer and welcoming it to our community on the May workshop agenda.

Senior Center Activities Director Leslie Lyne announced the annual "Relay for Life," presented by the American Cancer Society, would take place on Saturday, April 8, 2006, beginning at 12:00 noon in Jarboe Park. Several events were scheduled to take place throughout the day.

CITY MANAGER REPORT

City Manager Jarboe reported the new palm trees in the medians on Third Street / A1A were under warranty for one year, if they should need to be replaced. He reminded the council that the trees were planted with City of Jacksonville money which would have been given to Jacksonville Beach if we had not used it.

The City of Jacksonville Beach had a lobbyist in Tallahassee asking for the Kings Road Bridge to be placed higher on the DOT replacement list.

The proposals for the design/build of the Kings Road Bridge were recently received. A structural engineer would compare the proposals and a recommendation would be made to the Council at a future workshop meeting.

City Clerk Lisa Volpe introduced the following citizens, who wished to be appointed to serve on the Code Enforcement Board: Mary Ann Padrta, Janet Johnson, and John Jolly. The Resolution would arise further on the agenda.

Proposed
Wal-Mart

Mayor Brown asked City Manager Jarboe to give an update on the proposed new Wal-Mart at the location of the old Food Lion store.

City Manager Jarboe explained the city had spoken with representatives and engineers for Wal-Mart. At the present time the City has not received a formal request. Before Wal-Mart could proceed they would have to have permission from the owner of the properties.

City Attorney White stated Wal-Mart or any other entity interested in the property would have to present plans to city staff and the Planning and Development Review Board and would have to be in compliance of the Code.

PUBLIC COMMENTS

Susan Miller, 106 Myra Street, asked for the speed bump on Myra Street to be replaced, additional one-way street signs on Strand Street, and stricter enforcement of alcohol on the beach.

Paul Nicholson, 222 Oleander Street, asked to replace the speed bump on Oleander Street.

Richard Keene, 733 Bay Street, asked Council to consider adding parking of boats and watercraft to Ordinance No. 2006-07.

Michael Adams, 320 First Street, asked that that the speed bumps be taken up on Cherry street and just leave the humps in place.

The following citizens spoke in opposition of the proposed Wal-Mart Store:

- Michael Adams, 320 First Street
- Hayes Bishop, 1443 Spindrift Circle East
- Sarah Gibbs, 1501 First Street
- Wes Gibbs, 1501 First Street
- Rachel Barreau, 120 Davis Street
- Steve Barreau, 120 Davis Street
- Michael Aston, 1523 Summer Sands Drive, also delivered a petition signed by 107 residents living in the Summer Sands community that were opposed to a Wal-Mart.

Dana Pardee, 1421 Penman Road, spoke in favor of the proposed Wal-Mart Store.

CONSENT AGENDA

Res. No. 2006-05

RESOLUTION NO. 2006-05: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA ESTABLISHING CHARGES OR FEES FOR SOLID WASTE COLLECTION SERVICES.

Moved by Pruette, seconded by Pardee.

Motion: **TO APPROVE THE CONSENT AGENDA.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

VARIANCES / NONE

ORDINANCES

Ord. No. 2006-04

ORDINANCE NO. 2006-04, ELECTIONS, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 9 ELECTIONS SECTION 9-02 SCHEDULE FOR ELECTIONS AND PROVIDING AN EFFECTIVE DATE.

City Clerk Lisa Volpe stated the Supervisor of Elections' office had suggested additional changes to the ordinance since the March workshop meeting.

Moved by Weldon, seconded by Pruette.

Motion: **TO PASS ORDINANCE NO. 2006-04 ON FIRST READ AND FORWARD TO THE APRIL WORKSHOP FOR DISCUSSION OF THE ADDITIONAL CHANGES.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Ord. No. 2006-05

ORDINANCE NO. 2006-05, RECYCLING, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 11, GARBAGE, TRASH AND INDUSTRIAL WASTE; SECTION 11-106 ESTABLISHED; FEES; CONTAINERS; CURBSIDE COLLECTIONS; TYPES OF MATERIALS TO BE COLLECTED AND PROVING AN EFFECTIVE DATE.

Councilor Weldon agreed to sponsor Ordinance No. 2006-05.

Moved by Weldon, seconded by Lee.

Motion: **TO PASS ORDINANCE NO. 2006-06 ON FIRST READ.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Ord. No. 2006-06

ORDINANCE NO. 2006-06, DEFINITION OF FAMILIES, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA RELATING TO DEFINING FAMILIES; PROHIBITING OCCUPANCY OF FAMILY DWELLING UNITS BY UNRELATED PERSONS ABOVE A SPECIFIED NUMBER; PROVIDING PENALTIES AND VIOLATIONS; AMENDING SECTION 27-15 DEFINITION OF FAMILY; AMENDING SECTION 27-333 RELATING TO PROHIBITED ACTIVITIES AND PROVIDING AN EFFECTIVE DATE.

Moved by Weldon, seconded by Pruette.

Councilor Weldon agreed to sponsor Ordinance. No. 2006-06.

Motion: **TO PASS ORDINANCE NO. 2006-06 ON FIRST READ.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Ord. No. 2006-07

ORDINANCE NO. 2006-07, PARKING OF LARGE TRUCKS, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 22 TRAFFIC AND MOTOR VEHICLES BY ADDING SECTION 22-3 CERTAIN MOTOR VEHICLES PROHIBITED FROM PARKING IN COMMERCIAL DISTRICTS AND PROVIDING AN EFFECTIVE DATE.

Moved by Weldon, seconded by Pruette.

Motion: **TO PASS ORDINANCE NO. 2006-07 ON FIRST READ.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

OLD BUSINESS

Res. No. 2006-06

RESOLUTION NO. 2006-06, APPOINTMENT OF BOARD MEMBERS: A RESOLUTION APPOINTING BOARD MEMBERS TO THE CODE ENFORCEMENT BOARD.

Moved by Pardee, seconded by Lee.

Motion: **TO ADOPT RESOLUTION NO. 2006-06.**

Roll Call Vote:

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

Noes: 0 – Pardee

MOTION CARRIED

Res. No. 2006-07

RESOLUTION NO. 2006-07: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA

AMENDING THE "SPEED HUMP POLICY."

Moved by Weldon, seconded by Pruette.

Motion: **TO ADOPT RESOLUTION NO. 2006-07.**

Roll Call Vote:

Ayes: 4 – Lee, Pruette, Weldon, Brown

Noes: 1 – Pardee

MOTION CARRIED

Res. NO. 2006-08

RESOLUTION NO. 2006-08: A RESOLUTION OF THE CITY OF NEPTUNE BEACH IN APPRECIATION OF JOHN DELANEY, FORMER MAYOR OF JACKSONVILLE, WHO SERVED THE BEACHES' COMMUNITY OF NEPTUNE BEACH IN AN OUTSTANDING MANNER.

Moved by Weldon, Seconded by Pruette.

Motion: **TO ADOPT RESOLUTION NO. 2006-08**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Councilor Lee stated he appreciated and encouraged comments from the citizens regarding the Wal-Mart proposal.

Adjournment

There being no further business, the meeting adjourned at 8:07 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____