



MINUTES
WORKSHOP CITY COUNCIL MEETING
MAY 15, 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 May 15, 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 Manager Jim Jarboe
City Attorney Christopher White
City Clerk Lisa Volpe, CMC

STAFF:

Lieutenant Anthony Carrillo
Community Development Director Jason Cleghorn
Senior Center Activities Director Leslie Lyne
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

The presentation acknowledging Dayne Etherton, former Chairman of the Ish Brant Beautification Committee, was postponed due to his absence.

COMMITTEE REPORTS / NONE

CITY MANAGERS ACTION LIST

City Manager Jarboe reported the following:

- The Emergency Management Plan was completed and had been copied to Council and staff.
- The city's fire rating decreased from seven (7) to three (3) due to the upgraded water system. This should decrease the cost of home owners insurance for residents.
- The budgeting process was currently underway at the departmental level.
- Residents were concerned about the mobilization area near the water plant so the city was looking for a new place to have utility/construction companies set up.

Mayor Brown stated the Florida Department of Transportation has budgeted \$100,000 to match the city funds for the construction of the new Kings Road Bridge. This came due to efforts by the City of Jacksonville Beach.

Vice Mayor Pruette complimented City Manager Jarboe on his beard.

City Clerk Volpe advised that the regular meeting in July would fall on July 3, 2006 and recommended scheduling the meeting for July 5, 2006 or July 10, 2006.

Consensus: **TO HOLD THE JULY REGULAR MEETING ON JULY 10, 2006.**

City Manager Jarboe introduced Tim Slater, as the new chairperson of the Ish Brant Beautification Committee.

PUBLIC COMMENTS

Mary Ann Padrta, 1030 Second Street, was concerned about the definitions of parking and storage in the code.

Michael Aston, 1523 Summer Sands Drive, asked the Council to consider allowing temporary parking permits for visitors in recreational vehicles.

Lyn Lazarus, 540 Hopkins Street, cited an article in a Boston newspaper in opposition of Wal-Mart.

Dale Baker, 106 Pine Street, voiced concern regarding shrubs and plants obstructing the view of motorists, specifically at Pine Street and First Street.

Joseph Quest, 960 Hagler Drive, thanked the Council for their efforts to revise the Code to allow a moving business in the C-2 district.

Emilie Christenson, 112 Oleander Street, voiced concerned regarding the negative effect of Wal-Mart on small businesses.

Rona Brinlee, owner of the Book Mark at 299 Atlantic Boulevard, voiced concern about the economic welfare of small businesses if a Wal-Mart were to open in on our small community.

Buford Brinlee, owner of the Book Mark at 299 Atlantic Boulevard, suggested Atlantic Beach and Neptune Beach conduct a study on the economic impact that Wal-Mart or any new large store would have on small businesses.

Michael Spranger, 14138 Inlet Drive, Jacksonville, stated he was new to the area and offered to do volunteer work for the city.

Vice Mayor Pruette asked that citizens in opposition of Wal-Mart voice their concerns at the Planning and Development Review Board meeting in June.

PROPOSED ORDINANCES

Ord. No. 2006-07

ORDINANCE NO. 2006-07, TRAFFIC AND MOTOR VEHICLES: 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.

Councilor Weldon suggested the following change in paragraph b:

b) It shall be unlawful for any person or entity to park on commercial property an automobile, a boat or any of the ~~motor~~ vehicles listed above for the purpose of displaying same for sale.

Councilor Weldon questioned why it was necessary to have the permission of the property owner to tow vehicles or boats in violation of this section.

City Manager Jarboe explained permission of the property owner was necessary to allow entrance on the property. If the property owner denied access to their property then the property owner would be fined.

Consensus: **FORWARD AS AMENDED TO THE JUNE REGULAR MEETING FOR SECOND READ AND PUBLIC HEARING.**

Vice Mayor Pruette asked if the ordinance should contain a definition of parking.

City Manager Jarboe explained a definition would be better suited in Chapter 27. He would draft a definition of parking with Chief Sembach and have a draft ordinance at the June Workshop.

Ord. No. 2006-XX
Animals

ORDINANCE NO. 2006-XX, ANIMALS: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 6 ANIMALS, ARTICLE II DOGS AND CATS, ADDING SECTION 6-33 SUPPLEMENTAL ENFORCEMENT PROCEDURES AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe explained this ordinance would enforce collection of animal citations through the county court.

Vice Mayor Pruette agreed to sponsor the ordinance.

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

Ord. No. 2006-XX
Zoning

ORDINANCE NO. 2006-XX, SPECIAL RESTRICTIONS IN ZONING DISTRICTS FOR OUTSIDE SALES: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS (b)(5) RETAIL, GENERAL AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe explained this ordinance would allow licensed businesses to have outside sales events four (4) times annually.

Council discussed and agreed upon the following amendments:

(5)a. Sale, display, preparation, and storage shall be conducted within a primarily enclosed building. ~~Outside~~ Special outdoor sales events by Neptune Beach general retail stores may be held ~~at on~~ on the premises of their licensed store ~~twice~~ three times a year.

Add (5)f. Outdoor sales of fireworks are prohibited.

Consensus: **FORWARD AS AMENDED TO THE JUNE REGULAR MEETING FOR FIRST READ.**

Ord. No. 2006-XX
Zoning

ORDINANCE NO. 2006-XX, SPECIAL RESTRICTIONS IN ZONING DISTRICTS FOR MOVING AND STORAGE: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING SECTION 27-227, SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS (B)(14) AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe stated this ordinance would allow moving and storage facilities, by exception only, in the C-2 zoning district.

Councilor Weldon stated there was pending code enforcement action on the current owner of a moving business on Atlantic Boulevard. He felt the ordinance should not be adopted until such action was resolved.

Other Council members were in favor of the ordinance if storage facility was removed.

Council discussed and agreed upon the following amendments.

(14) Moving and storage facility business: No more than three (3) trucks shall be stored on site, unless otherwise approved through the special exception process by the City Council. No other storage of any items to be moved.

Consensus: **FORWARD AS AMENDED TO THE JUNE REGULAR MEETING FOR FIRST READ.**

Mixed Use

MIXED USE DEVELOPMENT IN COMMERCIAL ZONING DISTRICTS: Carlos Asensio, a representative for Flagler Development Company, which owns Penman Plaza, stated his clients would be a prime candidate for a mixed used development. He described mixed use development as a combination of retail/commercial and/or service uses with residential or office use in the same building or on the same site. He felt that issues relating to density, signage, parking and height would have to be discussed in order to make a project viable.

Councilor Weldon felt that the issue of density needed to be addressed by staff before adoption of the ordinance.

Consensus: **HAVE THE CITY MANAGER PREPARE A DRAFT ORDINANCE FOR MIXED USE DEVELOPMENT FOR THE JUNE WORKSHOP.**

CONTRACTS / AGREEMENTS / NONE

ISSUE DEVELOPMENT

Future Development

FUTURE DEVELOPMENT: Councilor Lee felt the city should take more of a leadership role in future development of the city by cultivating a dialog between citizens, staff, property owners, developers, and having frequent discussions at council meetings. He added he would develop a road map for this process to present to council and staff at a future workshop meeting.

Recess/Reconvene

Mayor Brown called a recess at 9:10 p.m. and reconvened the meeting at 9:20 p.m.

Bike Path

STUDY TO DETERMINE THE COST OF COMPLETION OF THE BICYCLE / PEDESTRIAN PATH ON SEAGATE AVENUE WEST OF PENMAN ROAD: Councilor Pardee stated he would like the city to conduct a study to determine the cost of the completion of the bicycle/pedestrian path along Seagate Avenue west of Penman Road as outlined in the comprehensive plan.

City Manager Jarboe stated he would have the cost to complete the bicycle and pedestrian

path during the budget process for council to consider.

Consensus: **TO HAVE THE COST TO COMPLETE THE BICYCLE AND PEDESTRAIN PATH DURING THE BUDGET PROCESS FOR COUNCIL CONSIDERATION.**

State Legislation

MAYOR PAYTON'S STATEMENT OF POLICIES AND PRIORITIES FOR THE 2006 STATE LEGISLATIVE SESSION: Councilor Pardee asked the Council to review the Mayor's Statement of Policies and Priorities of the 2006 State Legislative Session to see if it would benefit the city in anyway.

Wal-Mart Traffic Study

Councilor Weldon asked if the city received a response from the Wal-Mart representatives in regards to Wal-Mart paying for a traffic study commissioned by the city.

City Manager Jarboe stated there has been no response from Wal-Mart representatives to date.

Consensus: **TO DIRECT STAFF TO RESEARCH THE COST OF AN INDEPENDENT TRAFFIC STUDY AND PLACE ON THE JUNE REGULAR MEETING AGENDA.**

City Manager Jarboe stated Wal-Mart had thirty (30) days, after the initial submission of application, to provide the information to complete their application.

Councilor Weldon recommended the city hire a land use attorney to defend the city against Wal-Mart.

Consensus: **TO PLACE THE ESTIMATED COST OF HIRING OF A LAND USE ATTORNEY ON THE JUNE REGULAR MEETING.**

Adjournment

There being no further business, the meeting adjourned at 9:31p.m.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____