



**MINUTES
REGULAR CITY COUNCIL MEETING
MARCH 5, 2007 6:00 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 5, 2007 at 6:00 p.m., in the City Hall Council Chambers, 116 First Street, Neptune Beach, Florida.

Attendance

<p>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</p>	<p>STAFF: Community Development Director Amanda Askew Senior 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</p>
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Order Call/Pledge

Mayor Brown called the meeting to order at 6:00 p.m. and asked Vice Mayor Pruette to lead the pledge of allegiance.

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS

Joe Stonecipher and Don Ouchley, Beaches Energy Services, gave a presentation regarding how Neptune Beach residents could connect to the recently installed underground electrical lines.

Elaine Brown, City of Jacksonville Councilwoman, introduced Mr. Jay Jabour and announced that she would be endorsing him as her replacement on the Jacksonville City Council At Large Group 2 due to her term limits having expired.

APPROVAL OF MINUTES

Moved by Weldon, seconded by Pruette.

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

FEBRUARY 5, 2007, REGULAR CITY COUNCIL MEETING
FEBRUARY 12, 2007, WORKSHOP CITY COUNCIL MEETING

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Pruette, Weldon, Brown
 Noes: 0

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Councilor Lee stated he would be working with City Manager Jim Jarboe and Community Development Director Amanda Askew on visioning and mixed use development ideas.

CITY MANAGER REPORT

City Manager Jarboe reported on the following:

- He would like the city to consider a financing program for underground electrical connections for residents whereby the city would pay Beaches Energy to hook up the underground connection and assess those residents who wished to participate.
- He was concerned that if the state reduced property taxes the proposed sales tax increase would not cover the loss of revenue for the city.
- He would like to schedule a goal setting session for the current budget year.
- The Public Services Department would begin work on the Fifth Street drainage project next week.

Vice Mayor Pruette suggested adopting a resolution opposing the state reducing any of our state funding.

PUBLIC COMMENTS

Stephen Carter, 1723 Indian Woods Drive, voiced opposition of Ordinance No. 2007-02 due to further restrictions being placed on construction of docks.

CONSENT AGENDA

Kings Rd. Bridge

APPROVAL TO ADVERTISE FOR REQUESTS FOR PROPOSALS – KINGS ROAD BRIDGE: Advertisement for requests for proposals for design build construction of a new Kings Road Bridge.

APPROVAL OF REQUEST FROM JUDITH JENNESS, 1836 NIGHTFALL DRIVE, TO CONSTRUCT A DOCK OVER CITY PROPERTY: Approval to allow Ms. Jenness, 1836 Nightfall Drive to construct a dock over the marsh.

Moved by Pruette, seconded by Lee.

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. 2007-01

ORDINANCE NO. 2007-01, AMENDING CHAPTER 27, AND TABLE 27-226-1, PERMISSIBLE USES, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 27 UNIFIED LAND DEVELOPMENT REGULATIONS, AMENDING TABLE 27-226-1 PERMISSIBLE USES TO ALLOW MOTOR VEHICLE SERVICE BY EXCEPTION IN ZONING DISTRICTS C-2 AND C-3 AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown read Ordinance No. 2007-01 by title only and opened the public hearing.

Denise Wallace, 1313 Glickstein Court, voiced concern regarding the effect the ordinance would have on the character of the neighborhood.

Mr. Mack McCuller, 225 Water Street, asked Council to approve the ordinance on behalf of his client.

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

Moved by Pardee, seconded by Pruette.

Motion: **TO ADOPT ORDINANCE NO. 2007-01 ON SECOND READ AND PUBLIC HEARING.**

For the Record Councilor Weldon read the following prepared statement for the record:

"The Commercial C-2 zoning district is intended to provide for retail sales and services for one (1) or more neighborhoods.

Do we have any long range plan for the future of Neptune Beach?

Or will we simply accept a cobbled-together hodgepodge of a community because this Council lacks the discipline to develop a vision of the future and then stick with it?

Why do we have this urge to accommodate any business that asks us to modify our code? Why can't AAMCO find a location in the C-3 zoning district? Might it be because the land along Florida Boulevard is less expensive than the available sites along Atlantic Boulevard?

The C-2 zoning district was never intended for motor vehicle services. It was intended to provide for the restaurants, retail shops, markets, offices and personal services that support the development of a quiet and secure residential neighborhood.

Aren't we sacrificing the long range objectives we have built into our Comprehensive plan and ULDC to an impulsive desire to encourage economic development regardless of the real cost to the community?"

Council discussed the pros and cons of the ordinance.

Roll Call Vote:

Ayes: 3 – Pardee, Pruette, Brown

Noes: 2 – Lee, Weldon

MOTION CARRIED

Ord. No. 2007-02

ORDINANCE NO. 2007-02, AMENDING CHAPTER 27, ARTICLE IV, LAND USE, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 27, ARTICLE IV, LAND USE, ADDING SECTION 27-243, PROTECTION OF ENVIRONMENTALLY SENSITIVE LANDS AND PROVIDING AN EFFECTIVE DATE.

Councilor Pardee passed out copies of a memo he had prepared regarding his concern that Hopkins Creek was not designated as an aquatic preserve by the state. According to his research the water in Hopkins Creek was considered sovereign submerged lands belonging to and governed by the state. He also felt the ordinance would interfere with property owners riparian rights.

Vice Mayor Pruette suggested forwarding the ordinance to the March workshop for

further discussion.

Councilor Weldon stated the objective was to define "conservation area." He asked City Attorney Chris White if the city had the right to enact more restrictive laws regarding the conservation area. City Attorney White replied the state dealt with issuing dock permits. The city had the right to enact more restrictive laws as long as they were not in conflict with the state laws. He stated that he would research "what was exempted from state" and "what could be regulated by city government."

Vice Mayor Pruette asked City Attorney White to research and simplify the ordinance before the March workshop meeting.

Moved by Pruette, seconded by Weldon.

Motion: **TO PASS ORDINANCE NO. 2007-02 ON FIRST READ AND FORWARD TO THE MARCH WORKSHOP FOR FURTHER DISSCUSION.**

Roll Call Vote:

Ayes: 4 – Lee, Pruette, Weldon, Brown

Noes: 1 – Pardee

MOTION CARRIED

OLD BUSINESS / NONE

NEW BUSINESS

Seagate Paving

SEAGATE AVENUE PAVING EAST OF THIRD STREET: The cost to pave Seagate Avenue east of Third Street, through a contract with the City of Jacksonville Beach would be a total of \$20,000 to be shared equally between the two cities. Also, First Christian Church of the Beaches requested that consideration be given to paving their parking area between First Street and Ocean Front on the south side of the church. This would cost an additional \$3,649.25. The church was willing to pay its 20% share. The estimated total amount for Neptune Beach would be \$13,649.25.

City Manager Jarboe stated the money could be paid from the current gas tax fund.

Moved by Weldon, seconded by Pruette.

Motion: **TO APPROVE PAVING SEAGATE AVENUE EAST OF THIRD STREET TO INCLUDE THE SOUTHSIDE OF THE CHURCH PARKING AREA.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Adjournment

There being no further business, the meeting adjourned at 7:50 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved:

