



MINUTES
REGULAR CITY COUNCIL MEETING
APRIL 2, 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 April 2, 2007 at 6:00 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 Amanda Askew Senior Center Director Leslie Lyne Director of Finance Steve Ramsey Director of Public Safety David Sembach Deputy City Clerk Karla Strait, CMC
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Order Call/Pledge Mayor Brown called the meeting to order at 6:00 p.m. and led the pledge of allegiance.

AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS

Res. No. 2007-02 **RESOLUTION NO. 2007-02: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA SUPPORTING SHERRON KENSKI, PRINCIPAL OF THE NEPTUNE BEACH ELEMENTARY SCHOOL, FOR THE FLORIDA PTA "PRINCIPAL OF THE YEAR" AWARD AND HONORS HER SERVICE TO THE COMMUNITY FOR THE LAST TWELVE YEARS.**

Moved by Lee, seconded by Pruette.

Motion: **TO ADOPT RESOLUTION NO. 2007-02.**

Roll Call Vote:

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

MOTION CARRIED

City Clerk Volpe read the Resolution aloud for the assembly.

Mayor Brown and the Council then presented the Resolution to Mrs. Kenski.

APPROVAL OF MINUTES

Moved by Pruette, seconded by Pardee.

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

FEBRUARY 26, 2007, SPECIAL CITY COUNCIL MEETING
MARCH 5, 2007, REGULAR CITY COUNCIL MEETING
MARCH 12, 2007, SPECIAL CITY COUNCIL MEETING
MARCH 19, 2007, WORKSHOP CITY COUNCIL MEETING

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Mayor Brown stated he attended Legislation Day in Tallahassee with the Florida League of Cities and they were concerned about the proposed changes to real estate tax.

Councilor Lee stated he had met with Mr. Jonathon Plumb regarding his proposed variance request. He thanked Public Services Director Leon Smith for the job performed on the drainage project at Florida Boulevard and Fifth Street.

Councilor Pardee disclosed he had spoken with Mr. Jonathon Plumb regarding his proposed variance request.

Councilor Lee stated he sent out a memorandum regarding the dates, times and places of upcoming "visioning" town hall meetings.

Vice Mayor Pruette disclosed she had also spoken with Jonathon Plumb regarding his proposed variance. She asked City Manager Jarboe to work with the County regarding traffic signaling devices. She also thanked Karl Sanders, Attorney for Lakeshore Village / Wal-Mart for agreeing to erect a concrete wall across the southern portion of the property.

Councilor Weldon disclosed he had spoke with Mr. Jonathon Plumb regarding his proposed variance request.

Mayor Brown disclosed he also spoken with Mr. Jonathon Plumb regarding his proposed variance request.

CITY MANAGER REPORT

City Manager Jarboe reported on the following:

- The drainage project at Fifth Street and Florida Boulevard was completed by the Public Services Department with the use of the menzi muck. If the project had been contracted outside it would have cost the city an estimated \$40,000.
- The city received a federal grant to upgrade the security systems in city buildings.
- A meeting would be scheduled with the Department of Transportation and the City of Jacksonville to discuss the traffic signals located at major intersections throughout the city.

PUBLIC COMMENTS

Pat Hazouri, 207 Florida Boulevard, voiced concern regarding pedestrian safety at intersections crossing Third Street. She suggested erecting "Yield to Pedestrians" signs.

CONSENT AGENDA / NONE

VARIANCES

Aqua East
696 Atlantic Blvd.
Moore

VARIANCE REQUEST OF SHUANA MOORE – AQUA EAST SURF SHOP – 696 ATLANTIC BOULEVARD: Vice Mayor Pruette questioned how Aqua East planned to maintain the rear of the building because there would only be 3.5 feet to the property line. Mr. Terry Simmons, Architect, explained the building would be stucco and block and would require minimum maintenance. Councilor Weldon questioned if they had reduced the impervious surface. Mr. Simmons explained they would be using pavers in the sidewalk areas.

Councilor Pardee stated approval of this variance request would be contingent upon the adoption of Ordinance No. 2007-03.

Moved by Pardee, seconded by Pruette.

Motion: **TO APPROVE THE VARIANCE REQUEST FOR AQUA EAST – 696 ATLANTIC BOULEVARD CONTINGENT UPON ADOPTION OF ORDINANCE NO. 2007-03.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Gateway Atlantic
2300 Marsh Pt. Rd.

VARIANCE REQUEST OF GATEWAY ATLANTIC, LLC / OFFICE BUILDING – 2300 MARSH POINT ROAD: City Manager Jarboe stated the variance request was for twenty parking spaces in order to provide for a medical office within the building.

Moved by Pardee, seconded by Pruette.

Motion: **TO APPROVE THE VARIANCE REQUEST FOR GATEWAY ATLANTIC, LLC – 2300 MARSH POINT ROAD.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

ORDINANCES

Ord. No. 2007-02

ORDINANCE NO. 2007-02, AMENDING CHAPTER 27, ARTICLE IV, LAND USE, SECOND READ AND PUBLIC HEARING: 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.

Mayor Brown read Ordinance No. 2007-02 by title only and opened the public hearing.

Steven Carter, 1723 Indian Woods Drive, supported the city overseeing construction of docks but did not support additional restrictions of private property owner's rights.

Elliot Bailey, 1715 Indian Woods Drive, opposed the additional restrictions on

construction of docks.

Steve Jarrett, 500 Oceanfront, also opposed the additional restrictions on construction of docks.

Susan Bollenbaugh, 2022 Shadow Lane, supported the ordinance and protecting the environmentally sensitive land.

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

Moved by Pruette, seconded by Weldon.

Motion: **TO ADOPT ORDINANCE NO. 2007-02 ON SECOND READ AND PUBLIC HEARING.**

Councilor Pardee felt because of the state regulations the ordinance was not necessary.

Mayor Brown was concerned the proposed minimum 10' x 16' platform area may need to be increased.

Vice Mayor Pruette stated she was informed by Building Official Don Ford that property owners would be allowed to apply for a variance request in order to vary from the ordinance requirements.

For the Record Councilor Lee felt the ordinance needed to be simplified and stated for the record that he would not vote in favor of the ordinance on second read unless it was taken back to a workshop for further consideration.

Councilor Weldon stated that steps needed to be taken to protect this environmentally sensitive area from over development.

Vice Mayor Pruette withdrew her motion to adopt the ordinance on second read and public hearing.

Consensus: **FORWARD TO THE APRIL 16, 2007 WORKSHOP MEETING.**

Ord. No. 2007-03 **ORDINANCE NO. 2007-03, COMMERCIAL SETBACKS, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 27 UNIFIED LAND DEVELOPMENT REGULATIONS TABLE 27-229-1 AND PROVIDING AN EFFECTIVE DATE.**

Mayor Brown read Ordinance No. 2007-03 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 Pardee.

Motion: **TO ADOPT ORDINANCE NO. 2007-03 ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

Ayes: 4 – Lee, Pardee, Pruette, Brown

Noes: 1 – Weldon

MOTION CARRIED

Ord. No. 2007-04 **ORDINANCE NO. 2007-04, CONCURRENCY, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 27 UNIFIED**

LAND DEVELOPMENT REGULATIONS, SECTION 27-350, PROCEDURE FOR APPLYING FOR AND ISSUING A CONCURRENCY CERTIFICATE AND PROVIDING AN EFFECTIVE DATE.

Councilor Pardee suggested returning the ordinance to a workshop to include language that allowed credit for existing development.

City Attorney White stated such language was not needed in the ordinance because it was included in the state statutes.

Moved by Weldon, seconded by Lee.

Motion: **TO PASS ORDINANCE NO. 2007-04 ON FIRST READ.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Ord. No. 2007-05

ORDINANCE NO. 2007-05, PER DIEM, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 2 ADMINISTRATION BY AMENDING SECTION 2-355 SUBSISTENCE AND PROVIDING AN EFFECTIVE DATE.

Moved by Pardee, seconded by Pruette.

Motion: **TO PASS ORDINANCE NO. 2007-05 ON FIRST READ.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

OLD BUSINESS

Surplus

SURPLUS VEHICLE – ANIMAL CONTROL TRUCK: Approval for the City Manager to surplus the old animal control truck.

Moved by Weldon, seconded by Pruette.

Motion: **TO APPROVE THE SURPLUS OF THE ANIMAL CONTROL TRUCK.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

NEW BUSINESS

Res. No. 2007-03

RESOLUTION NO. 2007-03: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA RECOGNIZING THE 20TH ANNIVERSARY OF THE 911 EMERGENCY TELEPHONE SYSTEM IN NEPTUNE BEACH, DUVAL COUNTY, EXPRESSING APPRECIATION FOR THE WORK DONE, THE LIVES SAVED AND THE CONTRIBUTION TO PUBLIC SAFETY BY THE EMERGENCY COMMUNICATIONS PERSONNEL AND SUPPORT STAFF.

Moved by Pruette, seconded by Lee.

Motion: **TO ADOPT RESOLUTION NO. 2007-03.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Vice Mayor Pruette stated the Annual Easter Egg Hunt would be held Friday, April 6, 2007, beginning at 10:00 a.m. in Jarboe Park.

City Manager Jarboe asked council members to advise him if they were interested in participating in the "Opening of the Beaches Parade".

Adjournment

There being no further business, the meeting adjourned at 8:24 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____