



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**OCTOBER 15, 2007 AT 6:20 P.M.**  
**CITY HALL, 116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA**

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Pursuant to proper notice a Workshop Meeting of the City Council of the City of Neptune Beach was held October 15, 2007 at 6:20 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance:

IN ATTENDANCE:

STAFF:

Mayor Richard Brown  
Vice Mayor Harriet Pruette  
Councilor Fred Lee  
Councilor Eric Pardee  
City Manager Jim Jarboe  
City Clerk Lisa Volpe, CMC

Community Development Director Amanda Askew  
Senior Activity 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

ABSENT:

Councilor John Weldon  
City Attorney Chris White

Call to Order/Roll Call Mayor Brown called the meeting to order at 6:20 p.m.

**PRESENTATIONS / NONE**

**CITY MANAGER'S ACTION LIST**

Action List

City Manager Jarboe reported on the following:

- The Public Services Department had been very busy cleaning up stormwater drains and sewer lines after the recent heavy rains and flooding.
- Public Services continued to work on the nitrogen level issue.

Vice Mayor Pruette questioned the status of the Kings Road Bridge Rehabilitation Project. City Manager Jarboe responded the project was still in the engineering stage and should be ready for bidding within the next few weeks. The engineer was also coordinating with Florida Department of Transportation.

Councilor Pardee voiced concern regarding concurrency and the Flagler Properties development in the Penman Plaza Shopping Center. He felt it would be fair to developers to amend the Code to allow developers a choice of three traffic engineers to conduct their traffic study instead of the city mandating which one they had to use.

City Manager Jarboe stated he would draft a request for proposals to have available for the November regular meeting.

Consensus: **TO HAVE THE CITY MANAGER DRAFT A REQUEST FOR PROPOSAL TO PRESENT AT A WORKSHOP MEETING BEFORE THE REGULAR NOVEMBER MEETING.**

#### **PUBLIC COMMENTS**

Lynda Padrta, 1113 First Street, thanked public services for their efforts in cleaning up the stormwater drains and sewer lines after the recent flooding. She also supported the Resolution to protect the St. Johns River water resource.

Niall Falloon, 110 First Street, Mezzaluna Restaurant, asked Council to allow the Town Center Agency to have more input into the Town Center Interlocal Agreement.

#### **PROPOSED ORDINANCES**

Garage Sales

**ORDINANCE NO. 2007-XX, GARAGE SALES:** AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING THE EXISTING CHAPTER 17, SALES, SECTION 17-32 FREQUENCY AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe explained the ordinance would allow residents to have garage sales three times per calendar year for two consecutive days.

Councilor Lee voiced concern regarding the issue of vehicles parking too close to intersections, red lights, stop signs, etc. thus creating safety hazards while attending garage sales.

City Manager Jarboe suggested placing parking restrictions in the garage sale ordinance.

Councilor Lee stated he did not want to complicate the ordinance by adding parking restrictions.

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

#### **CONTRACTS / AGREEMENTS**

Caribbee Assoc.

**SIDEWALK LEASE AGREEMENT FOR CARIBBEE ASSOCIATES, LLC:** John Brocato, owner of Caribbee Associates, recommended the city base his monthly rent increase on the CPI and requested the hours for the outdoor seating area be extended until 12:00 a.m.

Consensus: **FORWARD THE ORDINANCE AMENDING SIDEWALKS AND BIKEWAYS TO THE NOVEMBER REGULAR MEETING FOR FIRST READ AND PUBLIC HEARING.**

City Clerk Lisa Volpe explained once the ordinance was adopted the lease agreement would need to be amended and approved.

Town Center

**TOWN CENTER INTERLOCAL AGREEMENT:** Vice Mayor Pruette stated before approving the Town Center Interlocal Agreement she felt there should be additional dialogue with the Town Center Agency and Atlantic Beach.

Councilor Lee agreed there should be additional dialogue with Town Center. He felt a joint meeting with Atlantic Beach and the Town Center Agency would resolve the issues.

City Manager Jarboe agreed that a lot of the issues could be resolved by resolution. He

suggested tabling the Town Center Interlocal Agreement until the newly elected Atlantic Beach officials took office.

Consensus: **TO TABLE THE TOWN CENTER INTERLOCAL AGREEMENT UNTIL THE NEWLY ELECTED ATLANTIC BEACH OFFICIALS TAKE OFFICE.**

### **ISSUE DEVELOPMENT**

St. Johns River

**RESOLUTION NO. 2007-XX:** A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA CALLING ON THE ST. JOHNS WATER MANAGEMENT DISTRICT TO PROTECT AND PRESERVE THE WATER RESOURCE OF THE ST. JOHNS RIVER BY NOT ALLOWING THE USE OF MILLIONS OF GALLONS OF RIVER WATER TO BE USED TO CONTINUE UNCHECKED GROWTH IN CENTRAL AND SOUTH FLORIDA.

Vice Mayor Pruette stated that the St. Johns River was an asset that needed to be protected and asked Council to support the Resolution.

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

Window Signs

**WINDOW SIGNS – ITEMS PLACED ON THE EXTERIOR OR INTERIOR OF WINDOWS:** City Manager Jarboe suggested deferring the window signs debate until Councilor Weldon could be present for the discussion.

Consensus: **TO DEFER THE WINDOW SIGN ISSUE UNTIL COUNCILOR WELDON COULD BE PRESENT FOR THE DISCUSSION.**

Special Events

**SPECIAL EVENTS – THANKSGIVING DAY AT PETE’S BAR:** City Manger Jarboe explained the holiday tradition at Pete’s Bar involved residents consuming Bloody Mary’s at Pete’s and sometimes spilling out into the street. This ordinance would change the special event ordinance to allow alcohol instead of only beer and wine to be consumed in the street during special events only.

Consensus: **FORWARD TO THE NOVEMBER REGULAR MEETING AND ADOPT AS AN EMERGENCY ORDINANCE.**

Starbucks

Councilor Lee questioned the status of the Starbucks development. Community Development Director Askew explained the project was being amended due to budget restraints and therefore would need to go back through the development process.

60,000 sq ft

Councilor Pardee was concerned about the 60,000 square foot space limit for retail sales. He questioned how it would effect the proposed new development at the Penman Plaza Shopping Center. Community Development Director Askew explained it was the City Manager’s interpretation that the proposed project would be considered non-conforming due to the 60,000 square foot space limit. However, City Attorney White would be reviewing whether or not the shopping center was entitled to vested rights.

Vice Mayor Pruette stated that interpretations of ordinances varied from person to person. She questioned if City Attorney White wrote and reviewed the original ordinance. She also voiced concern about discrepancies in ordinances creating problems for the Council and the City.

Mayor Brown suggested that City Attorney White explain how the ordinance could be modified.

Consensus: **TO PLACE THE 60,000 SQUARE FOOT LIMIT FOR RETAIL ON THE NOVEMBER WORKSHOP AGENDA.**

Adjournment

There being no further business, the meeting adjourned at 7:45 pm.

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Richard A. Brown, Mayor

Attest:

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Lisa Volpe, CMC, City Clerk

Approved: \_\_\_\_\_