



MINUTES
WORKSHOP CITY COUNCIL MEETING
NOVEMBER 19, 2007 AT 6:00 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 November 19, 2007 at 6:00 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
Councilor John Weldon
City Attorney Chris White
City Manager Jim Jarboe
City Clerk Lisa Volpe, CMC

Director of Finance Steve Ramsey
Director of Public Safety David Sembach
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 6:00 p.m.

PRESENTATIONS / NONE

CITY MANAGER'S ACTION LIST

Action List

City Manager Jarboe reported on the following:

- The water and sewer rate study should be complete and ready to present to the Council by February.
- The software conversion should be completed after the 1st of the year.
- Public Services continues to work on the nitrogen testing

Councilor Weldon questioned the status of the reuse. City Manager Jarboe replied the engineer was working on the permitting process.

Councilor Lee questioned the status of the proposed traffic light at Florida Boulevard and Kings Road. City Manager Jarboe replied an in house traffic study was completed and given to the City of Jacksonville for review. He would follow up on the situation.

Vice Mayor Pruette questioned the proposal for getting a left turn lane at the intersection of Florida Boulevard and Third Street / A1A and the intersection of Penman Road and Third Street / A1A. City Manager Jarboe responded that he was working with the Florida Department of Transportation regarding the issue.

City Clerk Lisa Volpe announced that members were needed for the Board of Appeals, the Planning & Development Review Board and the Code Enforcement Board. The Code Enforcement Board had to cancel the last two meetings due to lack of a quorum.

PUBLIC COMMENTS

Lee Spain, 812 Davis Street, thanked the Public Service Department for their superior work in repairing a pot hole and two broken pipe lines on the street in front of house.

Gary Fiske, 539 Hopkins Street, asked Council to review Section 27-335 of the Code of Ordinances because he felt it was vague regarding where the front of a house should begin.

Consensus: **TO PLACE SECTION 27-335 ON THE DECEMBER WORKSHOP AGENDA FOR COUNCIL REVIEW.**

Shirley Myers, 1001 Florida Boulevard, proposed revisions to Article II Garage Sales and Article XV Advertising.

Consensus: **TO PLACE GARAGE SALES PERMITS AND ADVERTISING ON THE DECEMBER WORKSHOP AGENDA.**

PROPOSED ORDINANCES / NONE

CONTRACTS / AGREEMENTS / NONE

ISSUE DEVELOPMENT

Window Signs

WINDOW SIGNS – ITEMS PLACED ON THE EXTERIOR OR INTERIOR OF WINDOWS: City Manager Jarboe stated the Code of Ordinances did not allow signs to be placed outside of store windows. However, the Code does not address signs on the interior of store windows.

Councilor Pardee suggested not changing the Code to address sign placement on interior store windows.

Vice Mayor Pruette agreed with Councilor Pardee that the Code did not need to be changed to address sign placement on interior windows.

Mayor Brown recommended Council acknowledge the existing interior window signs on buildings and collect feedback on the issue.

City Manager Jarboe also suggested not changing the Code to regulate interior store signs.

Councilor Weldon also agreed the Code did not need to be changed.

Consensus: **TO LEAVE THE CODE AS IS AND HAVE STAFF ENFORCE IT AS ISSUES ARISE.**

Garage Sales

GARAGE SALES – SNIPE SIGNS – GENERAL DISCUSSION: Vice Mayor Pruette was concerned that some snipe signs for garage sales, that were placed in city rights of way, were being removed by the city and others were not. She acknowledged the city did not have the resources to remove snipe signs from rights of way on weekends. However, she felt the city should be consistent in snipe sign removal.

Mayor Brown stated he would like for City Attorney White to review the placement of snipe signs in rights of way and place the issue on the January workshop agenda for

discussion.

Councilor Pardee suggested that garage sale permits allow a certain number of signs to be placed within a specific time limit for advertising the sale and also have a time limit in which the signs should be removed.

Consensus: **TO PLACE THE ISSUE OF GARAGE SALE SIGNS ON THE JANUARY WORKSHOP AGENDA.**

Sidewalk on Atlantic
Boulevard

SIDEWALK ON ATLANTIC BOULEVARD: Councilor Lee asked the Council to acknowledge that the City Manager had the authority to work with the Department of Transportation on the issue of pedestrian safety regarding the sidewalk frontage of the Super Wal-Mart on Atlantic Boulevard.

City Manager Jarboe recommended that Mayor Brown write a letter to the Florida Department of Transportation informing them of the concerns regarding the safety of pedestrians and requesting they respond to the issue.

Councilor Weldon felt it was becoming more dangerous to cross Third Street / A1A. He agreed the city should take positive steps to ensure pedestrian safety.

Councilor Lee felt the Council should also be informed of FDOT's plans to improve Third Street / A1A.

Councilor Pardee suggested the option of adding a sidewalk along Lemon Street.

Consensus: **TO HAVE MAYOR BROWN WRITE A LETTER TO FDOT REGARDING PEDESTRIAN FRIENDLY SIDEWALKS AND INTERSECTIONS.**

60,000 sq. ft. Ord.

INTERPRETATION BY COUNCIL OF 60,000 SQUARE FEET ORDINANCE: Vice Mayor Pruette stated it was her interpretation of the 60,000 square feet ordinance that any retail store or warehouse would not be allowed to exceed 60,000 square feet.

Mayor Brown stated it was his interpretation as well that one single business could not exceed 60,000 square feet.

Councilor Weldon stated the intent of the Ordinance was to limit the amount a single store from exceeding 60,000 square feet not to unreasonably limit property rights in a strip center and prevent large big box entities from moving into our small neighborhood community.

Councilor Weldon voiced concern regarding the scheduling of a special Planning & Development Review Board meeting for the development order of Flagler Properties. He felt they should have gone through the regular development process.

Councilor Pardee felt Flagler Properties had vested rights in the property and the development order should not be held back. He was concerned about the 60,000 square feet ordinance creating a law suit with Flagler.

Mayor Brown stated he would like to fine tune the Ordinance.

Councilor Weldon stated he would like to revise the Ordinance so that it would not unreasonably limit property rights.

Vice Mayor Pruette stated that Chris White being the attorney for the city should write ordinances that are not vague in an effort to prevent the city from having any lawsuits.

Consensus: **INSTRUCT CITY ATTORNEY WHITE TO ADJUST THE ORDINANCE TO ENSURE THAT IT WOULD CONTINUE TO LIMIT ANY INDIVIDUAL BUSINESS TO 60,000 SQUARE FEET OR LESS WHILE AT THE SAME TIME NOT LIMITING THE CONSTRUCTION OF SHOPPING MALLS.**

Councilor Pardee was concerned about the future use of the 83,000 square feet K-Mart. City Attorney White explained because the K-Mart existed when the 60,000 square feet ordinance was adopted that K-Mart was grandfathered in and not limited to the 60,000 square feet.

Temp. Structures **TEMPORARY STRUCTURES – TEMPORARY CONSTRUCTION TRAILERS, PORTABLE STORAGE UNITS:** Councilor Lee asked Council to consider allowing the City Manager to make a judgment call in event of an emergency situation, to extend the length of time allowed for portable storage units to remain on properties from 15 days to 90 days.

Consensus: **TO ALLOW THE CITY MANAGER TO EXTEND THE LENGTH OF TIME FOR PORTABLE STORAGE UNITS TO BE ON PROPERTY FROM 10 DAYS TO 45 DAYS IN THE EVENT OF AN EMERGENCY SITUATION.**

DOT Easement **DEPARTMENT OF TRANSPORTATION EASEMENTS FOR A NEW SIGNALIZATION SYSTEM:** City Manager Jarboe stated that Florida Department of Transportation has asked the city to grant them easements to install new traffic signal devices at Florida Boulevard and Third Street / A1A, and at Florida Boulevard and Third Street and Atlantic Boulevard.

Consensus: **FORWARD A RESOLUTION FOR EASEMENTS TO THE DECEMBER REGULAR MEETING.**

City Manager Jarboe asked Council, due to News Years Day falling on a Tuesday this year, if they would be willing to consider closing the city on Monday, December 31, 2007.

Consensus: **FORWARD TO THE DECEMBER WORKSHOP MEETING.**

Adjournment There being no further business, the meeting adjourned at 7:40 pm.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____