



**MINUTES
REGULAR CITY COUNCIL MEETING
DECEMBER 3, 2007 AT 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 December 3, 2007 at 6:00 p.m., in the City Hall Council Chambers, 116 First Street, Neptune Beach, Florida.

Attendance

IN ATTENDANCE:

STAFF:

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

Community Development Director Amanda Askew
Director of Finance Steve Ramsey
Director of Public Safety Chief Sembach
Director of Public Services Leon Smith

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 / NONE

APPROVAL OF MINUTES

Moved by Pruette, seconded by Pardee.

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

NOVEMBER 5, 2007, REGULAR CITY COUNCIL MEETING
NOVEMBER 19, 2007, WORKSHOP CITY COUNCIL MEETING

Roll Call Vote:

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

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

Vice Mayor Pruette commended the Public Services Department for their participation and helpfulness during both the “Christmas in the Park” and the “Town Center Tree Lighting” events.

CITY MANAGER REPORT

City Manager Jarboe reported on the following:

- A gas leak was reported earlier today at the Sea Turtle Hotel.
- He would be meeting with Barbara Jackson of the Beautification Committee to discuss the preliminary plan for the Florida Boulevard beatification project.
- Graffiti was an ongoing problem throughout the city.
- Construction has slowed throughout the city.

Councilor Weldon questioned when the construction would begin for the proposed Wal-Mart. City Manager Jarboe explained the contractor for Wal-Mart was currently finishing the construction of a Wal-Mart at a different location. Once that Wal-Mart was completed they would begin construction of the Neptune Beach Wal-Mart.

PUBLIC COMMENTS / NONE

CONSENT AGENDA

APPROVAL OF EASEMENT FOR THE FLORIDA DEPARTMENT OF TRANSPORTATION: The Florida Department of Transportation has requested the city grant them easements to install new modified traffic signal devices.

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. 2007-18

ORDINANCE NO. 2007-18, GARAGE SALES, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING THE EXISTING CHAPTER 17 SALES, ARTICLE II GARAGE SALES, SECTION 17-32 FREQUENCY AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown read Ordinance No. 2007-18 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 Weldon.

Motion: **TO ADOPT ORDINANCE NO. 2007-18 ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Ord. No. 2007-19 ORDINANCE NO. 2007-19, OUTDOOR DINING, SECOND READ AND PUBLIC HEARING: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING THE EXISTING CHAPTER 27, SECTION 27-479 SIDEWALKS AND BIKEWAYS AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown read Ordinance No. 2007-19 by title only and opened the public hearing.

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

Moved by Weldon, seconded by Pruette.

Motion: **TO ADOPT ORDINANCE NO. 2007-19 ON SECOND READ AND PUBLIC HEARING.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Ord. No. 2007-20 ORDINANCE NO. 2007-20, TEMPORARY STRUCTURES, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING THE EXISTING 27 UNIFIED LAND DEVELOPMENT REGULATIONS ARTICLE V. ACCESSORY STRUCTURES AND USES SECTION 27-331 TEMPORARY STRUCTURES AND PROVIDING AN EFFECTIVE DATE.

Moved by Lee, seconded by Pruette.

Motion: **TO PASS ORDINANCE NO. 2007-20 ON FIRST READ.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Ord. No. 2007-21 ORDINANCE NO. 2007-21, AMENDING THE 60,000 SQUARE FEET ORDINANCE, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING THE EXISTING CHAPTER 27, TABLE 27-229-1 AND PROVIDING AN EFFECTIVE DATE.

Councilor Weldon explained this Ordinance clarified the intent of the original ordinance which was not to prohibit the development or renovation of shopping centers.

City Attorney White stated he was concerned about the issue of limitation on free standing buildings and he would be reviewing the ordinance before the second and final read.

Moved by Weldon, seconded by Pruette.

Motion: **TO PASS ORDINANCE 2007-21 ON FIRST READ.**

Roll Call Vote:

Ayes: 4 – Lee, Pruette, Weldon, Brown

Noes: 1 – Pardee

MOTION CARRIED

OLD BUSINESS / NONE

NEW BUSINESS

Res. No. 2007-14 RESOLUTION NO. 2007-14: A RESOLUTION APPOINTING MEMBERS TO THE CODE ENFORCEMENT BOARD AND THE PLANNING & DEVELOPMENT REVIEW BOARD.

City Clerk Lisa Volpe explained Keith Anne Pechonick needed to be removed from the Resolution because she would have been a third alternate and the Board of Appeals was only allowed two alternates. She would be given the opportunity to be appointed when a position became available in February or March.

Moved by Pruette, seconded by Lee.

Motion: **TO APPROVE RESOLUTION NO. 2007-14 AS AMENDED WITHOUT KIETH ANNE PECHONICK.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Mayor Brown requested canceling the December workshop meeting and carrying any issues over to January.

Consensus: **TO CANCEL THE DECEMBER WORKSHOP**

New Yrs. Eve APPROVAL TO CLOSE CITY HALL ON MONDAY, DECEMBER 31, 2007: Due to New Years Day being on a Tuesday, Mayor Brown requested Council consider closing the City on Monday, December 31, 2007, for News Years Eve.

Moved by Pruette, seconded by Lee.

Motion: **TO CLOSE THE CITY ON MONDAY, DECEMBER 31, 2007.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Adjournment There being no further business, the meeting adjourned at 6:35 p.m.

Richard A. Brown, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved:

