



A RESOLUTION NO. 2008-03

A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA
SUPPORTING THE CONCEPT OF PLACING ART IN THE
ROUNDAABOUT LOCATED AT THE ENTRANCE RAMP TO THE
OCEAN ON ATLANTIC BLVD.

Whereas, the City Council of the City of Neptune Beach, Florida feels that public art enhances the commercial district; and

Whereas, the Town Center Agency has plans to place public art in the roundabout in Town Center; and

Whereas, the roundabout in Town Center is located in one of the City's commercial districts;

Now, therefore be it resolved that:

The City Council of Neptune Beach endorses the concept of public art in the roundabout at Town Center. In order for the Town Center Agency to place public art in the roundabout they shall successfully do the following:

1. Receive the approval of the City of Atlantic Beach for the proposed project.
2. Follow the requirements as set out in Code of Ordinance Chapter 27, Section 576 and 596 of the Neptune Beach City Code.
3. Have firm commitments for the required funding for the project.
4. Not limit the public art project to abstract art.
5. ~~Town Center Agency will maintain the art project after it has been installed.~~ Receive final design approval from Neptune Beach City Council.

Richard A. Brown
Mayor

ATTEST:

Lisa Volpe, CMC
City Clerk



Introduced by Mayor Brown

**SUBSTITUTE
RESOLUTION NO. 2008-03**

**A RESOLUTION OF THE CITY OF NEPTUNE BEACH,
FLORIDA SUPPORTING THE CONCEPT OF PLACING ART IN
THE ROUNDABOUT LOCATED AT THE ENTRANCE RAMP TO
THE OCEAN ON ATLANTIC BLVD.**

Whereas, the City Council of the City of Neptune Beach, Florida feels that public art enhances the commercial district; and

Whereas, the Town Center Agency has plans to place public art in the roundabout in Town Center; and

Whereas, the current proposal is conceptual at this time; and

Whereas, a number of details must be finalized before the City Council of the City of Neptune Beach will be able to approve a specific proposal,

Now, therefore be it resolved that:

The City Council of Neptune Beach endorses the concept of public art in the Town Center roundabout and respectfully requests that the Town Center Agency move forward with the steps necessary (proposals, judging, funding, maintenance recommendations, etc.) in order for the City Council to make a final decision under Chapter 27, Section 576 and 596 of the Ordinance Code.

Richard A. Brown
Mayor

ATTEST:

Lisa Volpe, CMC
City Clerk

INTRODUCED BY:
VICE MAYOR PRUETTE



ORDINANCE NO. 2007-16

A BILL TO BE ENTITLED

**AN ORDINANCE OF THE CITY OF NEPTUNE BEACH,
FLORIDA AMENDING CHAPTER 27 ARTICLE XV
ADVERTISING AMENDING SECTION 27-576 DEFINITIONS
AND ADDING SECTION 27-596 ART PROJECT AND
PROVIDING AN EFFECTIVE DATE.**

Whereas, the City Council of the City of Neptune Beach, Florida has determined that it is necessary to be add the following to Article XV Advertising.

Now, Therefore, be it ordained by the City Council of Neptune Beach, Florida:

Section 1. Chapter 27 Article XV Advertising, Section 27-576 Definitions, Code of the City of Neptune Beach is hereby amended to add the following:

Section 27-576

Art project means any mural, illustration, painting or sculpture that is approved by the City Council as art that enhances the commercial district.

Section 2. Chapter 27 Article XV Advertising, Section 27-596 Art Project, Code of the City of Neptune Beach is hereby added as follows:

Sec. 27-596 Art Project

Any proposed art project in the commercial districts that in the opinion of a majority of the Planning and Development Review Board is found to be public art that enhances the commercial district may be recommended to the City Council for its approval. If approved by the City Council, such an art project will be permitted ~~considered~~ ~~a conforming sign~~ as long as it is maintained in good condition. The City Council may place conditions for approval on the proposed project. Any such art project which deteriorates over time shall be removed by the applicant at the sole discretion of the City Council. Proposed art projects must make application with the Building Department on the forms provided by the City before being placed on the Planning and Development Review Board agenda. The Building Official will determine if the application is complete before setting a date for the Planning and Development Review Board to consider the application.

In making their decisions, both the Planning Development Review Board and City Council shall determine:

- (1) That the proposed art project will enhance the aesthetic beauty of the area of its proposed location;
- (2) That the artist is capable of completing the work in accordance with the plan submitted as part of the application;
- (3) That the information in the application regarding the durability and expected maintenance of the proposed art project is correct; and,
- (4) That the materials to be used and the manner of application will not require excessive maintenance by its owner.

In making their determinations, the Planning and Development Review Board and City Council may consider evidence of property values, and the opinions of the owners and occupants of surrounding properties and the public.

If final approval is given for the project by the City Council, the Building Official will issue a permit. The project will be inspected by the Building official to ensure that the project is being completed as approved by the Council.

Section 3. The Ordinance shall become effective immediately upon its final passage and adoption by the City Council.

VOTE RESULTS OF FIRST READING:

Mayor Richard A. Brown.	Yes
Vice Mayor Harriet Pruette	Yes
Councilor Fred Lee	Yes
Councilor Eric Pardee	Yes
Councilor John Weldon	Yes

Passed on First Reading this 24th day of September, 2007.

VOTE RESULTS OF SECOND AND FINAL READING:

Mayor Richard A. Brown	Yes
Vice Mayor Harriet Pruette	Yes
Councilor Fred Lee	Yes
Councilor Eric Pardee	Yes
Councilor John Weldon	Yes

Passed on Second and Final Reading this 5th day of November, 2007.

Richard A. Brown
Mayor

ATTEST:

Lisa Volpe, CMC
City Clerk

Approved as to form and correctness:


Christopher A. White
City Attorney

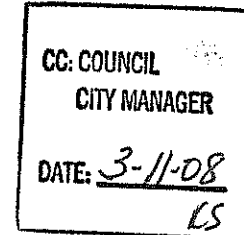
City of
Neptune Beach

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MEMORANDUM

TO: Honorable Mayor & City Council
FROM:  Jim Jarboe, City Manager
DATE: March 11, 2008
RE: Roundabout Art Project



I talked with Jim Hanson today concerning the art project in the roundabout. He advised Kelly Elmore had made a presentation at the Atlantic Beach Council meeting similar to the one made to us by Michael Dunlap. He stated Atlantic Beach is doing a resolution of support, but wants final approval on the actual project and also wants public review before approval.



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March 11, 2008

James R. Jarboe, City Manager
City of Neptune Beach
116 First Street
Neptune Beach, FL 32266

Re: Art Projects in Commercial Districts

Dear Mr. Jarboe:

This letter is in response to the inquiry you presented to this office relating to the approval of art projects in the commercial district.

On November 5, 2007, Ordinance No. 2007-16 was adopted by the City Council. That ordinance reads in part as follows:

Section 27-596. Art Project.

(a) Any proposed art project in the commercial districts that, in the opinion of the majority of the Planning and Development Review Board is found to be public art that enhances the commercial district may be recommended to the City Council for its approval. If approved by the City Council, such an art project will be permitted as long as it is maintained in good condition. . . .

The language in the ordinance is absolutely clear that, at this time, any proposed art project in the commercial districts is required to go before the Planning and Development Review Board and, upon that Board's recommendation, then to the City Council for approval with or without conditions.

Until such time as Section 27-596 is changed by the Council, this is the mandatory process that must be followed for proposed art projects within the commercial districts.

If you have any further questions on this issue, please let me know.

Very truly yours,

Christopher A. White

CAW/jja