



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**APRIL 21, 2008, AT 6:00 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 April 21, 2008 at 6:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance:

IN ATTENDANCE:

STAFF:

Mayor Richard Brown  
Councilor Fred Lee  
Vice Mayor Harriet Pruette  
Councilor John Weldon  
City Attorney Chris White  
City Manager Jim Jarboe  
City Clerk Lisa Volpe, CMC

Community Development Director Amanda Askew  
Senior Activities 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 Eric Pardee

Call to Order/Roll Call

Mayor Brown called the meeting to order at 6:00 p.m.

**PRESENTATIONS**

MPO

METROPOLITAN PLANNING ORGANIZATION: Jeff Sheffield, First Coast Metropolitan Planning Organization, gave a presentation on transportation improvements for fiscal years 2008/09 through 2012/13.

Councilor Weldon asked Mr. Sheffield if the MPO could assist the city by working with FDOT to help make Third Street / A1A more pedestrian friendly. Mr. Sheffield replied the MPO could help facilitate with FDOT while the repaving and intersection work was in process.

**CITY MANAGER'S ACTION LIST**

The manhole repairs are complete at no cost to the city. The Public Services Department would be monitoring the manholes during heavy rains to make sure they are working properly.

Repair work will begin on the manholes on Third Street and South Street next Tuesday.

There was a grease clog in the sewer lines in Town Center. Code Enforcement and Public Services will be monitoring the sewer lines in the Town Center area on a monthly basis.

Councilor Lee questioned the progress of the Kings Road Bridge. City Manager Jarboe

replied the bids should go out this week.

Councilor Lee questioned the progress of the new playground equipment. Community Development Director Amanda Askew replied she would prepare a letter addressed to City of Jacksonville Councilman Art Graham requesting the funding.

**PUBLIC COMMENTS / NONE**

**PROPOSED ORDINANCES**

Ord. No. 2008-05

ORDINANCE NO. 2008-05, AMENDING CHAPTER 27, SECTION 27-227: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 27 UNIFIED LAND DEVELOPMENT REGULATIONS SECTION 27-227 SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS(B)(5) RETAIL, GENERAL AND PROVIDING AN EFFECTIVE DATE.

Consensus: **FORWARD TO THE PLANNING AND DEVELOPMENT REVIEW BOARD.**

**CONTRACTS / AGREEMENTS / NONE**

**ISSUE DEVELOPMENT**

Ordinance  
Procedures

RESOLUTION NO. 2008-XX: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA STATING THE STEPS AN ORDINANCE GOES THROUGH TO BE INTRODUCED TO COUNCIL.

Councilor Weldon explained there was not a standard procedure for adopting ordinances. He suggested the following procedure for proposed ordinances: 1) the proposed ordinance is introduced for discussion at a Council workshop meeting to decide whether the Council wants to move forward with the ordinance, 2) go to the Planning and Development Review for recommendation before first read, 3) go to the Council for first read at the next regular Council meeting, and 4) return to the Council meeting the following month for second and final read. He felt this procedure would allow plenty of opportunity for the public to speak and have input. However, he was concerned about the delay in the process and suggested moving the Planning and Development Review Board meeting from the third Tuesday of the month to the first Tuesday of the month.

City Manager Jarboe recommended moving the Planning and Development Review Board meeting to the fourth Tuesday of the month.

Discussion ensued regarding public notices for ordinances and development orders.

Vice Mayor Pruette felt a review by the City Attorney should be included in the process.

Consensus: **FOR THE CITY MANAGER TO DISCUSS WITH STAFF AND BRING A PROPOSAL TO THE COUNCIL.**

720 Atlantic Blvd.

RESOLUTION NO. 2008-XX: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA DESIGNATING PROPERTY LOCATED AT 720 ATLANTIC BOULEVARD AS A BROWNFIELD AREA FOR ENVIRONMENTAL REHABILITATION AND ECONOMIC DEVELOPMENT AND PROVIDING AN EFFECTIVE DATE.

City Attorney White explained the State allowed economic incentives for property owners and developers to develop properties with pollutants found on site. The city would have to designate the property as a Brownfield area and enter into an agreement with the

property owner as to what needed to be done to remove the contamination. This would be a long process and require an engineer.

William Finger, Attorney for the property owner, stated this would allow the city to have input as to how the contamination would be removed.

Councilor Lee asked if this included cleaning up the contamination within the city right-of-way. Mr. Finger responded "yes" that it did include cleaning the city right-of-way.

Councilor Weldon stated he was opposed to a short term solution. He questioned if the technique for removing the contamination would be scientific driven or financially driven.

Earl Faust, P.A., Access Environmental Association, 10250 Normandy Boulevard, Suite 604, Jacksonville, Florida, 32221, responded the technique would be both scientifically and financially driven. However, the Brownfield agreement would allow the city to become part of the process, the city would be actively involved and it would work to the advantage of the city.

Consensus: **FORWARD TO THE MAY REGULAR COUNCIL MEETING.**

#### Waste Pro

**WASTE PRO – REQUEST FOR CPI INCREASE:** Howard Burnett, Waste Pro of Florida, explained their contract included a paragraph which allowed adjustments for changes for the cost of doing business. They were requesting an increase of 3.5 % based on the net change in the Consumer Price Index published by the Bureau of Labor Statistics.

Councilor Lee stated he continued to see trash cans not being returned to side yards. Mr. Burnett replied that some customers preferred to carry their trash cans to the street and did not want his employees entering their property.

Councilor Lee also voiced concern regarding trash falling out of trucks onto streets and yards. Mr. Burnett replied his employees were instructed to pick up trash that was blown out of the trucks.

Vice Mayor Pruette suggested the employees take the empty trash cans at least back to the front corner of the house where they could not be blown onto streets and driveways. Mr. Burnett stated he had not received any complaints from residents regarding empty trash cans. Vice Mayor Pruette stated she had received compliments about the service in comparison to the last provider.

Councilor Weldon stated residents needed to be reminded via the Cast-a-Line Newsletter that they pay for side yard trash pickup and they should take advantage of it.

Consensus: **FORWARD TO THE MAY CONSENT AGENDA**

#### Green Market

**BEACHES GREEN MARKET – REQUEST TO ADD LOCATION OF JARBOE PARK:** City Manager Jarboe stated the Green Market started out located in the Sea Horse Motel parking lot. Then it moved over to the K-Mart parking lot where it did not succeed. If the Green Market was allowed to be located in Jarboe Park, the ordinance would have to be changed. He voiced concern regarding the request to prepare food on the premises, which would create the necessity for water and electricity.

Councilor Weldon asked Gretchen Ferrell to address the Council. He asked her why the Green Market had proposed the hours of Saturday from 2:00 p.m. to 5:00 p.m. Ms. Ferrell responded their main vendor commuted from MacClenny and preferred those hours due to traffic and travel time.

Councilor Weldon questioned why they wanted to sell prepared foods. Ms. Ferrell replied

the Green Market created a pleasant atmosphere where people could sit and eat while listening to music. She added that if necessary the food could be prepared off site.

Councilor Lee was concerned that food vendors on site would create a problem with local restaurants owners.

Consensus: **TO HAVE THE CITY MANAGER WORK WITH STAFF TO FINE TUNE THE DETAILS AND FORWARD TO THE MAY REGULAR COUNCIL MEETING.**

Senior Center

**RESOLUTION NO. 2008-XX: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA CONFIRMING THE MEMBERS OF THE NEPTUNE BEACH SENIOR CENTER FOUNDATION BOARD OF DIRECTORS.**

Senior Activities Center Director Leslie Lyne explained the foundation was created to raise funds for the Senior Center to help offset the cost of vital activities and special events since CDBG funding was cut each year.

Councilor Weldon questioned how the funds would be used and if Council would be responsible for the disbursements. Ms. Lyne explained the foundation funds would be separate from the city budget and would be for the sole purpose to benefit the center and provide programs, events, and necessities such as heating, air conditioning, or maybe eventually a new building. She added the city would be informed as to what was done with the money.

City Manager Jarboe clarified the foundation could not expend funds without approval of the city because once the items were purchased for the center they would become city property.

Leslie Lyne introduced Dr. Joan Carver, Director of the Neptune Beach Senior Center Foundation Board, to the Council. Dr. Carver addressed the Council and stated the foundation board was for a wonderful cause.

Councilor Lee indicated there would be an end of the year audit report that the Council would have the opportunity to review if they so chose.

Consensus: **FORWARD TO THE MAY REGULAR MEETING CONSENT AGENDA.**

Audit Committee

**AUDIT COMMITTEE – AUDITOR SELECTION LAW AND PROCEDURES:** City Manager Jarboe explained Florida Statutes required Council to select and confirm the city auditor. The intent was for staff not to select an auditor to evaluate and rate their performance. Mr. Jarboe further explained the Council could hire a consultant at a cost of \$5,000 to \$10,000. However, he felt the Council was capable of reviewing the qualifications and making a selection once the requests for proposals were received.

Consensus: **FOR THE COUNCIL AS A WHOLE TO AGREE TO ACCEPT THE RESPONSIBILITY OF SELECTING AN AUDITOR.**

Vice Mayor Pruette advised the Florida League of Cities was in the process of collecting door prizes from Beaches' Council members for the May dinner meeting, which would be sponsored by the three Beach Cities and held at the Jacksonville Beach Community Center.

Adjournment

There being no further business, the meeting adjourned at 7:54 pm.

Richard A. Brown, Mayor

Attest:

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Lisa Volpe, CMC, City Clerk

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