MINUTES
WORKSHOP CITY COUNCIL MEETING
SEPTEMBER 22, 2008, AT 6:20 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 September 22, 2008 at 6:20 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance:

IN ATTENDANCE:

Vice Mayor Harriet Pruette
Councilor Fred Lee
Councilor Eric Pardee
Councilor John Weldon
City Attorney Chris White
City Manager Jim Jarboe
Deputy City Clerk Karla Strait, CMC

ABSENT:
Mayor Richard Brown

STAFF:

Director of Finance Steve Ramsey
Director of Public Safety David Sembach
Director of Public Services Leon Smith

Call to Order/Roll Call

Vice Mayor Pruette called the meeting to order at 6:20 p.m.

PRESENTATIONS / NONE

CITY MANAGER'S ACTION LIST

City Manager Jarboe reported on the following:

- The contractor has inspected the Kings Road Bridge and the construction should begin next week. Residents will be notified before construction begins that the bridge will be closed and the City of Jacksonville Beach will be opening the rear gate for access.

Councilor Lee stated it was September of 2008 and asked Director of Finance Steve Ramsey when the new computer system would be up and running. Mr. Ramsey replied the glitch in the billing has been corrected and he hoped the system would be up and running soon.

Councilor Pardee questioned when the Animal Ordinance Committee would be reporting to the Council. City Manager Jarboe replied the committee would provide a report at a workshop meeting once their meeting process was completed.

Councilor Weldon asked if the dog dining issue was deferred until the Animal Ordinance Committee gave their report. City Manager Jarboe replied that was correct and the Animal Ordinance Committee was considering the dog dining issue during their meeting sessions.

PUBLIC COMMENTS / NONE

PROPOSED ORDINANCES

Seasonal Sales

ORDINANCE NO. 2008-XX, SEASONAL SALES: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 17 SALES, ARTICLE III OPEN AIR SALES AND MARKETS, ADDING SECTION 17-47 SEASONAL SALES AND PROVIDING AN EFFECTIVE DATE.

Vice Mayor Pruette asked Mr. Rick Sauls if he had any concerns with the Ordinance. Mr. Sauls asked if the time period for the sale of Christmas trees could be adjusted to the Wednesday before Thanksgiving.

City Manager Jarboe stated the Ordinance also allows non-profit organizations to conduct three seasonal sales per year.

Consensus: **TO AMEND THE SEASONAL SALES ORDINANCE AS FOLLOWS: THE SALE OF CHRISTMAS TREES MAY TAKE PLACE FROM THE TUESDAY BEFORE THANKSGIVING ~~LAST WEEK IN NOVEMBER~~ TO DECEMBER 24TH.**

Variance Appeals

ORDINANCE NO. 2008-XX, VARIANCE APPEALS: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 27 UNIFIED LAND DEVELOPMENT REGULATIONS ARTICLE III ADMINISTRATIVE AND ENFORCEMENT PROCEDURES DIVISION 8 VARIANCES SECTION 27-153 PROCEDURE FOR APPEAL AND DELETING SECTION 27-154 APPEAL OF CITY COUNCIL DECISIONS ON VARIANCES IN THE CODE OF ORDINANCES AND PROVIDING AN EFFECTIVE DATE.

Councilor Weldon, sponsor of the Ordinance, asked to defer this Ordinance to the October Workshop while more information is gathered.

Consensus: **TO DEFER TO THE OCTOBER WORKSHOP MEETING.**

Irrigation

ORDINANCE NO. 2008-XX, IRRIGATION: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 23, UTILITIES, ARTICLE II WATER; AMENDING SECTION 23-27 LAWN WATERING RESTRICTIONS AND PROVIDING AN EFFECTIVE DATE.

Councilor Lee, sponsor of the Ordinance, asked to defer this Ordinance until a later date.

Consensus: **TO DEFER THE IRRIGATION ORDINANCE UNTIL FURTHER NOTICE.**

Alcoholic Beverages

ALCOHOLIC BEVERAGES, CHAPTER 4, LOCATIONS: Councilor Weldon stated he would like to limit the number of package stores in the commercial district by imposing the 800 foot separation from liquor store to liquor store, churches and schools. He also felt there should be an exemption for grocery stores, convenient stores, and drug stores that sell beer and wine only.

Councilor Pardee suggested separating the definition of alcoholic beverages into two and creating one license for liquor, and one for beer and wine. He felt this would make it easier to enforce the 800 foot separation.

Consensus: **CITY ATTORNEY WHITE AND COMMUNITY DEVELOPMENT**

DIRECTOR TO DRAFT A PROPOSED ORDINANCE.

Campaign Signs

CAMPAIGN SIGNS: Councilor Pardee was concerned about political signs being placed in City right-of-ways. He suggested changing the Code from "only the Code Enforcement Officer can remove the signs from the city right-of-ways", to allowing anyone to be able to remove them. He added that signs placed in the right-of-ways are considered abandoned property.

Councilor Weldon suggested the City Manager direct the Code Enforcement Officer to be more aggressive in removing political signs from the right-of-ways.

Councilor Pardee suggested the Code Enforcement Officer contact the candidate when one of their signs are removed and give them the option to keep the sign.

City Manager Jarboe stated the signs would be held at the city yard and the candidates would be notified to pick them up.

Consensus: **DIRECT STAFF TO AGRESSIVELY ENFORCE THE SIGN ORDINANCE REGARDING POLITICAL SIGNS IN PUBLIC RIGHTS-OF-WAYS.**

CONTRACTS / AGREEMENTS

Neptune Beach Elementary Park

NEPTUNE BEACH ELEMENTARY SCHOOL PARK LEASE AGREEMENT: City Manager Jarboe explained the school had concerns regarding Pop Warner using their ball field. He met with the principal of the school and drafted this use agreement for Council consideration. The agreement sets requirements for Pop Warner to maintain the field during the season. He added the city currently provides maintenance of the field two days per week.

Councilor Lee agreed the field needed to be maintained properly. He hoped a compromise could be reached between the parties so the city could continue to lease the property for use as a city park. However, if an agreement could not be reached the city could no longer lease the property and the school board would be solely responsible for the maintenance of the field. He added the principal of the school was in control as to whether or not she wanted to accept the use agreement.

Sherri Nicholson, past Neptune Beach Elementary School PTA Member, stated the PTA raised $17,000 to build the field and placed the 75,000 square feet of Bermuda grass. Their biggest concern at the time was maintenance. There was an agreement with Pop Warner from the beginning that if they saw the field starting to wear they would move elsewhere. She felt the agreement with Pop Warner needed to be reevaluated. She hoped the city would hold on to the lease / use agreement to use as a city park.

Dean Prince, Pop Warner representative, stated he has been involved with Jacksonville Beach Pop Warner for thirteen years. They have approximately 250 children in the program, 14% are Neptune Beach residents. They want to be good stewards for the city and continue to provide a service for the citizens. He would have to get approval from the Pop Warner Board to assist with the field maintenance.

Vice Mayor Pruette asked if both groups were in favor of the lease / use agreement. Mrs. Nicholson and Mr. Prince both agreed they were in favor of the agreement.

Councilor Weldon asked Mr. Prince if he would be willing to have one team play on the field at a time. Mr. Prince replied "yes" if that was in the agreement.

Councilor Weldon asked if the city would be able to mow the field and empty the trash cans twice a week. City Manager Jarboe responded this would take away from the maintenance of other parts of the city. He added that the School Board should be supplying maintenance toward the field.

Councilor Pardee asked City Manager Jarboe what it would cost the city to continue to mow the field and empty the trash cans twice per week.

Consensus: **CITY MANAGER TO MEET WITH THE PARTIES INVOLVED TO WORK OUT A USE AGREEMENT AND FORWARD TO THE OCTOBER REGULAR MEETING.**

ISSUE DEVELOPMENT

Crafternoon

USE OF JARBOE PARK – CRAFTERNOON: City Manager Jarboe explained the craft workshop for girls would take place on Saturday, November 8, 2008. They were requesting use of Jarboe Park at the location near the basketball court and in front of the Girl Scouts building.

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

Wind Energy

WIND ENERGY – RESIDENT PAUL NICHOLSON: Mr. Paul Nicholson gave a presentation regarding wind energy and permitting small wind turbines.

City Manager Jarboe asked Mr. Nicholson to provide copies of ordinances from similar cities that permitted the wind turbines for his review.

Adjournment

There being no further business, the meeting adjourned at 8:05 pm.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____