



MINUTES
WORKSHOP CITY COUNCIL MEETING
OCTOBER 20, 2008, 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 October 20, 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
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

Community Development Director Amanda Askew
Senior Center Director Leslie Lyne
Director of Finance Steve Ramsey
Director of Public Safety David Sembach
Director of Public Services Leon Smith

Call to Order/Roll Call Mayor Brown called the meeting to order at 6:00 p.m.

PRESENTATIONS / NONE

CITY MANAGER'S ACTION LIST

City Manager Jarboe reported on the following:

- The Florida Department of Transportation has offered to help with the repairs of the infrastructure by using their contractor which one third the cost the city would have paid.

PUBLIC COMMENTS

Dana Pardee, 1421 Penman Road, supported the development order for 240 Third Street and felt Councilor Weldon should abstain himself from the vote because he owned an office building next door. She also felt some council members should be more business friendly.

Sandy Golding, 1203 18th Avenue North, Jacksonville Beach, Secretary of the Animal Ordinance Committee, advised the Council the committee unanimously recommended the City of Neptune Beach pass the Ordinance to give restaurants the opportunity to allow dogs to dine with their owners in outdoor dining areas.

Valerie Pickett, 351 4th Street, Atlantic Beach, owner of Slider's Grill, supported giving the restaurant owners the opportunity to allow outdoor dog dining.

Carolyn Zisser, 302 Third Street, Suite 6, Ocean Office Plaza, strongly opposed the

variance for parking and the special exception for outdoor seating for 240 Third Street.

David Linger, 1817 Hopkins Creek Lane, owner of property in Ocean Office Plaza, opposed the development order for 240 Third Street due to parking issues.

David Sall, M.D., 246 Third Street, owner of five units in the Ocean Office Plaza, opposed the development order for 240 Third Street due to parking issues.

Patricia Stacey Sall, 2946 Bernice Court, Ocean Office Plaza, opposed the development order 240 Third Street due to parking issues.

Michael Aston, 1522 Summers Sands Drive, thanked the Council for taking the time to consider negative effects of commercial developments to the community and its citizens.

PROPOSED ORDINANCES

Dogs Dining Outside

ORDINANCE NO. 2008-14, DOGS DINING OUTSIDE: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA CHAPTER 27 UNIFIED LAND DEVELOPMENT REGULATIONS ADDING SECTION 27-339 ALLOWING DOGS IN OUTSIDE DINING AREAS UNDER CERTAIN CONDITIONS IN THE CODE OF ORDINANCES AND PROVIDING AN EFFECTIVE DATE.

Councilor Lee stated the Animal Control Committee unanimously recommended approval of the ordinance and the owners of restaurants have had indicated they would like the opportunity to allow dogs to dine outside with their owners. He supported the ordinance but suggested the Council review the ordinance in July 2009 when the State Statute expires.

Councilor Pardee suggested that a permitting process be in place before the adoption of the ordinance. He would also like to know what cost the city would incur as a result before it is adopted.

Mayor Brown stated he supported allowing restaurant owners the freedom to make the decision.

Vice Mayor Pruette supported the ordinance and stated it would be consistent with Atlantic Beach.

Consensus: **FORWARD TO THE NOVEMBER REGULAR MEETING FOR FIRST READ AND PUBLIC HEARING.**

Alcoholic Beverages

ORDINANCE NO. 2008-XX, ALCOHOLIC BEVERAGES: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 4 ALCOHOLIC BEVERAGES, ARTICLE 1 IN GENERAL, SECTION 4-4 LOCATION OF ESTABLISHMENTS AND PROVIDING AN EFFECTIVE DATE.

Councilor Weldon questioned if paragraph (d) of the ordinance would allow grocery stores and drug stores selling beer and wine to be exempt from the distance requirements related to selling alcohol of stronger content. City Attorney White replied that grocery stores and drug stores would not be exempt.

Consensus: **FORWARD TO THE NOVEMBER REGULAR MEETING FOR FIRST READ.**

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 this appeals procedure ordinance, requested it be removed from the agenda permanently.

Consensus: **TO WITHDRAW THE APPEALS PROCEDURE ORDINANCE PERMANENTLY.**

CONTRACTS / AGREEMENTS

Neptune Beach
Elementary Park

NEPTUNE BEACH ELEMENTARY SCHOOL PARK LEASE AGREEMENT: City Manager Jarboe stated he met with the principal of the Neptune Beach Elementary School and the Pop Warner Group and they came to some agreements. He was in the process of writing a lease agreement that would satisfy all three parties. He felt it could be removed from the agenda.

Consensus: **TO ALLOW THE CITY MANAGER TO WRITE THE LEASE AGREEMENT THAT WOULD SATISFY ALL THREE PARTIES.**

Agenda Amendment

Councilor Weldon suggested, for the benefit of the assembly, moving forward with item 8-E Development Order for 240 Third Street.

Former Taco Bell
250 Third Street

V08-15, VARIANCE REQUEST FOR PARKING, PDRB 08-06, SPECIAL EXCEPTION FOR OUTDOOR DINING & PDRB 08-08 DEVELOPMENT ORDER FOR ROBERTA ROBSON, 240 THIRD STREET, (FORMER TACO BELL PROPERTY)

Community Development Director Amanda Askew explained she met with the applicant after the last meeting. They reviewed the site and found one additional parking space. The revised variance request is for a reduction of four parking spaces. They also provided a letter indicating they would place voluntary restrictions on the outdoor dining area. She suggested making the voluntary restrictions part of the motion.

Vice Mayor Pruette felt the applicants made a fair compromise in the letter they provided and addressed the issues. She suggested if parking became an issue with Ocean Office Plaza that the owners should enforce no parking signs.

Mayor Brown also felt the compromise was fair. He did not feel the restaurant with the outdoor deck would create a drastic change in that of the commercial district.

For the Record

Councilor Pardee felt the applicants clarified the concerns of the Council in their letter. He added, for the record, he had a state plan reviewer's license and he did look at plans.

Councilor Lee stated the plans did not include signage and they would have to obtain a separate permit from the city. He asked the applicants to address the Council.

Harleston Parkes, Architect for the project, stated parking was the biggest issue. However, if the on street parking in front of the site and in front of Village Inn was included they would only be short one space. The restaurant would be an informal, family oriented restaurant and not a bar.

For the Record

Vice Mayor Pruette questioned for the record if they would have outdoor amplified music. Mr. Parkes replied they may decide to have amplified music inside but there would be no

amplified music outside.

Councilor Lee asked Ms. Robson if she felt the project would be developed. Ms. Robson replied she has been corresponding with the proposed tenants and they were very serious. He asked if they had tried to make an agreement with Village Inn for parking. Ms. Robson felt trying to work out a parking agreement with Village Inn would have taken too much time and she was eager to get approval for the restaurant.

Consensus: **FORWARD TO THE SPECIAL MEETING FOR A VOTE.**

Recess / Reconvene Mayor Brown recessed the workshop meeting at 7:05 p.m. and reconvened the workshop meeting at 7:25 p.m.

ISSUE DEVELOPMENT

City Bonds **CITY BONDS:** Director of Finance Steve Ramsey gave a brief summary regarding city debts.

PORF Investments **POLICE OFFICERS RETIREMENT FUND BOARD INVESTMENTS:** Don Padgett, Police Officers Retirement Board Member, gave a brief report on the PORF Board investments.

Safe Routes for Schools **SAFE ROUTES FOR SCHOOLS:** Councilor Lee stated the Pedestrian Safety Resolution included safe routes for schools. He asked Council to review the material provided in their agenda packets regarding the Safe Ways to School program because he would like to see this become a reality over the next year.

Public Safety Bldg. **RENAMING OF THE PUBLIC SAFETY BUILDING:** Sgt. Adam Militello explained in honor of Lt. James P. Kelly's untimely death due to cancer he would like to rename the Public Safety Building the "James P. Kelly Memorial Police Headquarters".

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

Adjournment There being no further business, the meeting adjourned at 7:58 pm.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____