



MINUTES
WORKSHOP CITY COUNCIL MEETING
JANUARY 28, 2008, AT 6:04 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 January 28, 2008 at 6:04 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
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

Call to Order/Roll Call Mayor Brown called the meeting to order at 6:04 p.m.

CITY MANAGER'S ACTION LIST

Action List

CITY MANAGER ACTION LIST: City Manager Jarboe reported on the following:

He asked each Councilor to sign a copy of the Administrative Safety Policy. He added the first quarterly safety meeting was held at City Hall Tuesday, January 22, 2008.

He advised Council and the assembly that the Budweiser Clydesdales would be in Town Center on Thursday, January 31, 2008, to deliver beer to the Town Center Restaurants.

Vice Mayor Pruette questioned the progress of the construction of the new Kings Road Bridge. Mr. Jarboe responded he was waiting for the final review from the Florida Department of Transportation in order to receive the \$100,000 grant from the City of Jacksonville.

Vice Mayor Pruette questioned the progress of the underground electric installation. Mr. Jarboe replied it would take time to get all of the residents to switch over to the underground.

Councilor Lee questioned the progression of the new computer software program. Mr. Jarboe replied presently there is a problem with the conversion of data for the utility billing portion of the software. However, the software conversion has been in place and in use for some time in payroll and accounts payable. Councilor Lee asked if the cost of the software had been remitted. Director of Finance Steve Ramsey replied the full amount for the new software would not be paid until the system was complete.

PUBLIC COMMENTS / NONE**PROPOSED ORDINANCES**

Boards

ORDINANCE NO. 2008-XX, AMENDING CHAPTER 2 ADMINISTRATIONS, ARTICLE VII BOARDS AND COMMISSIONS: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 2 ADMINISTRATIONS ARTICLE VII BOARDS AND COMMISSIONS ADDING SECTION 2-412 PRESIDING OFFICER OF A BOARD OR COMMISSION AND PROVIDING AN EFFECTIVE DATE.

Councilor Lee explained the purpose of this Ordinance was to allow board members to nominate and vote for a chair person at a board meeting where both the chair and vice chair were absent.

Consensus: **FORWARD TO THE FEBRUARY REGULAR MEETING.**

Garbage

ORDINANCE NO. 2008-XX, AMENDING CHAPTER 11 GARBAGE, TRASH AND INDUSTRIAL WASTE: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 11 GARBAGE, TRASH AND INDUSTRIAL WASTE ARTICLE II GARBAGE AND TRASH DIVISION 4 COLLECTION AND DISPOSAL SECTION 11-84 SAME – BAGGING; CUTTING TREES AND TREE LIMBS REQUIRED AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe explained the purpose of this Ordinance was to keep landscapers from blowing debris into the storm water sewer system. He would be sending a letter to all landscapers explaining the ordinance and issue them a warning on the first offense.

Consensus: **FORWARD TO THE FEBRUARY REGULAR MEETING.**

Councilor Weldon suggested amending the Ordinance as follows, adding the word "washed" into paragraph (a).

(a) All garden trash, except trees and tree limbs, shall be bagged ~~in plastic bags~~ and securely tied. ~~And thereafter placed out of the roadway for collection.~~ All garden trash including trees and tree limbs, sand and dirt shall not be blown, swept, washed, or placed onto public or private roadways or alleys or onto adjacent properties. If such garden trash is blown, swept, washed, or placed into public or private roadways or alleys or adjacent properties or not bagged and properly disposed of, a civil citation shall issue and a fine of fifty dollars (\$50.00) may be levied for each violation.

PRESENTATIONS

IBBC

BARBARA JACKSON, ISH BRANT BEAUTIFICATION COMMITTEE: Ms. Barbara Jackson, Chair of Ish Brant Beautification Committee, gave a presentation on drought resistance and eco-friendly landscaping.

At the suggestion of Councilor Lee and Councilor Weldon, City Manager Jarboe asked Public Services Director Leon Smith to meet with Barbara Jackson and the Ish Brant Beautification Committee to identify areas of the city that would benefit from using native plants.

CONTRACTS / AGREEMENTSInterlocal Agreement
Jax Bch

INTERLOCAL AGREEMENT BETWEEN THE CITY OF JACKSONVILLE BEACH, FLORIDA AND THE CITY OF NEPTUNE BEACH, FLORIDA: Relating to the provision of potable water supply connection, sewage collection connection, and water metering services for the five residential properties in Neptune Beach at the westerly end of

Seagate Avenue west of Kings Road.

City Manager Jarboe explained the City of Jacksonville Beach would bill the City of Neptune Beach for the water and sewer usage and in turn the City of Neptune Beach would bill the customer.

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

ISSUE DEVELOPMENT

Parking of
Recreational Equip.

PARKING OF RECREATIONAL EDQUIPMENT AND BOATS – SECTION 27-335: Gary Fiske, 539 Hopkins Street, asked Council to review Section 27-335 of the Code because he felt it did not specify where the front yard began.

Councilor Weldon felt recreational vehicles and boats in front yards were unsightly to neighboring properties. Recreational vehicles and boats were currently allowed to be parked in side and rear yards. He suggested modifying the code to prohibit parking of recreational vehicles and boats in front yards, unless there were enclosed in a garage.

Vice Mayor Pruette was concerned about impeding on property rights because some boat and recreational vehicle owners who are currently parking them in their front yards had no where else to park them. She felt that no action was necessary to change the code and code enforcement could be more lenient.

Mr. Fiske stated he received a code enforcement violation for parking his trailer in his neighbor's carport and he argued that the ordinance was unclear.

City Manager Jarboe explained the city was not proactive in issuing code violations for parking boats and recreational vehicles. However, Code Enforcement received three complaints regarding this particular trailer being parked in the front yard under the carport, and the city had to react. He suggested amending the code to allow boats and recreational vehicles to be parked under carports.

Councilor Lee agreed because most of the city was not in restricted gated communities and most residents living at the beach enjoyed the water and owned boats that parking should be allowed under carports.

Councilor Weldon agreed with the suggestion allowing boats and recreational vehicles to be parked under front yard carports that were not within the 25 foot front yard setback.

Councilor Pardee agreed that it should be legal to park recreational vehicles and boats under a carport in the front yards. Although he did not feel it was necessary to amend the code he agreed with Vice Mayor Pruette that the code enforcement in these situations should be lenient.

Consensus: **TO DIRECT CODE ENFORCEMENT TO ALLOW RECREATIONAL VEHICLES AND BOATS TO BE PARKED IN FRONT YARDS SO LONG AS THEY WERE IN A CARPORT.**

Garage Sales

GARAGE SALES – SECTION 17-31 AND SECTION 27-579 (b) (10): Shirley Myers, 1001 Florida Boulevard, felt garage sale signs should be allowed to be placed on the weekend during the sale as long as the sale was permitted through the city. She recommended amending Article II Garage Sales to add the following paragraph 4. Section 17-31 Permit.

4. the permit shall allow the person or persons conducting the garage sale to place directional signs, signs that provide traffic directions to the garage sale, in the vicinity of the garage sale and for the duration of the garage sale. The directional signs shall be

removed by the person or persons conducting the garage sale immediately after the conclusion of the garage sale.

Councilor Pardee felt signs should be allowed if the garage sale was permitted and held on a weekend within the City of Neptune Beach.

City Attorney White stated the Code did not allow snipe signs in the city rights of way. The city would have to allow all snipe signs or no snipe signs but the content of the signs could not be controlled by the city.

Councilor Weldon suggested directing staff to not remove the garage sales signs on the weekends as long the sales were permitted.

City Attorney White stated the city should not have selective enforcement powers.

Councilor Lee felt the garage sale signs should be allowed within a reasonable amount of distance from the sale.

“HOPE”

THE SULZBACHER CENTER – REQUEST FOR DONATION TO HELP PURCHASE A VAN FOR THE “HOPE” OUTREACH PROGRAM FOR THE BEACHES – COUNCILOR LEE:

Cindy Funkhouser and Michael Cochran explained the Sulzbacher Center has asked the Beaches’ communities to contribute to a new “HOPE” outreach program for the Beaches by providing a \$5,000 donation towards the purchase of a new van. The City of Jacksonville Beach has agreed to contribute \$15,000 and the City of Atlantic Beach has agreed to contribute \$10,000. The van would transport volunteers to work with homeless people in an effort to get them off the street and into stable housing. The van would also aide in transporting homeless people from the beaches to the downtown facilities where they could receive medical treatment.

Mayor Brown stated there was currently \$7,000 in the contingency fund and proposed a donation in the amount of \$4,000.

Councilor Weldon and Councilor Lee felt the issue was important enough to donate the requested amount of \$5,000.

Consensus: **FORWARD THE \$5000 DONATION TO THE FEBRUARY REGULAR COUNCIL MEETING.**

Visioning

VISIONING – COUNCILOR LEE: Councilor Lee stated during his previous visioning sessions one of the most important issues to the citizens was pedestrian safety. He suggested creating a committee made up of those concerned citizens to make recommendations to the Council regarding ways the city could improve pedestrian safety.

Pedestrian Safety

PAT HAZOURI – PEDESTRIAN CORRIDOR – COUNCILOR LEE: Pat Hazouri, asked Council to recognize and acknowledge four intersections as pedestrian corridors in a written document so that she could present the document to the Florida Department of Transportation and the City of Jacksonville.

Councilor Weldon suggested staff find out the legal definition of pedestrian corridors before Council put anything in writing. Councilor Weldon also suggested creating pedestrian safety zones in the A1A medians.

Mayor Brown stated he was concerned that Ms. Hazouri was representing herself as an official of Neptune Beach to other agencies. He felt that she should inform city staff of her ideas and proposals for Neptune Beach intersections, before meeting with these agencies.

Councilor Lee replied that Ms. Hazouri was willing to work towards developing a master plan to help the city become more pedestrian friendly and he felt she should be allowed to do so.

City Manager Jarboe suggested staff and the city attorney draft a resolution.

Consensus: **CITY MANAGER JARBOE TO WORK WITH STAFF AND THE CITY ATTORNEY ON A RESOLUTION.**

Vice Mayor Pruette asked City Attorney White to speak with Karl Sanders, Attorney for Wal-Mart, regarding the \$300,000 settlement agreement, in an effort to find out if the city would still be entitled to collect all or a portion of the money.

Adjournment

There being no further business, the meeting adjourned at 8:25 pm.

Richard A. Brown, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____