



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**AUGUST 18, 2008, AT 6:03 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 August 18, 2008 at 6:03 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  
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

ABSENT:

Councilor John Weldon

Call to Order/Roll Call Mayor Brown called the meeting to order at 6:03 p.m.

**PRESENTATIONS / NONE**

**CITY MANAGER'S ACTION LIST**

City Manager Jarboe reported on the following:

- The State and the City of Jacksonville have approved the bidding for the Kings Road Bridge repairs.
- Due to Tropical Storm Fay Public Services began cleaning gutters and storm drains. They would also be removing all political and real estate signs, newsstands and other items that may be movable until after the storm passes.
- The Penman Road repaving was in process.

Councilor Lee asked the City Manager to have the graffiti removed from Mayport Flyover.

Vice Mayor Pruette questioned the progress of the new playground equipment for Jarboe Park. Community Development Director Amanda Askew responded the city was not satisfied with the equipment chosen by the City of Jacksonville and asked them to rebid the project.

**PUBLIC COMMENTS**

Barbara Jackson, 2001 Cherokee Drive, favored the proposed fertilizer and irrigation ordinance although she felt it would be hard to enforce.

Rick Sauls, 126 Cedar Street, asked Council to review the outside sales ordinance to allow him to continue selling Christmas trees in Penman Plaza.

Consensus: **TO PLACE OUTDOOR SALES ON THE SEPTEMBER WORKSHOP MEETING AGENDA.**

### **PROPOSED ORDINANCES**

#### Outdoor Dog Dining

**ORDINANCE NO. 2008-XX, DOG DINING AREAS:** AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING 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.

City Manager Jarboe explained pet dining was not currently allowed in Neptune Beach. However, by State Statute the Duval County Health Department would allow pet dining if all conditions were met and a city permit was obtained.

Vice Mayor Pruette felt this would allow restaurant owners the opportunity to allow outdoor pet dining if they chose to abide by the strict state guidelines.

Councilor Lee suggested the Animal Ordinance Committee consider the outdoor pet dining proposal since they were already in the process of making recommendations to Council to change the animal ordinance.

Mayor Brown agreed that he would like to hear what the Animal Ordinance Committee recommended regarding outdoor pet dining.

Councilor Pardee also agreed the Animal Ordinance Committee should review the idea.

Vice Mayor Pruette asked to hear from the following restaurant owners:

Curtis Winter, 207 Atlantic Boulevard, Sun Dog, stated he was not aware that his patron's pets were not allowed to dine in the outdoor seating area of the restaurant until the Duval Health Department arrived. He has not had any other problems or complaints from customers.

John Bracotto, Carribee Key, stated he has not had any complaints from customers regarding outdoor pet dining and he felt it was convenient for the community.

Councilor Lee voiced concern regarding the city's liability if an animal was to bite someone while dining outdoors on city property.

City Attorney White responded the lease agreements for outdoor dining on city property would need to be revised to reflect that the restaurant would be liable for damages caused by animals dining outdoors at their facility.

Consensus: **ASK THE ANIMAL ORDINANCE COMMITTEE TO REVIEW OUTDOOR PET DINING AND MAKE SUGGESTIONS TO THE COUNCIL.**

#### 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.

City Attorney White explained this ordinance would have variance appeals bypassing the Council and going directly to Circuit Court.

City Manager Jarboe suggested deferring this proposed ordinance due to the absence of Councilor Weldon.

Councilor Lee questioned if there would be a cost to the city. City Attorney White replied there would be no cost to the city.

Vice Mayor Pruette asked the Board of Appeals Chairperson and past Chairperson to address the Council.

Chris Chin, Board of Appeals Chairperson, stated there had only been five or six variance appeals to the Council within the past several years. She felt it would be difficult for citizens to file appeals at the Circuit Court level and that the City Council should make the final decision.

Sybil Ansbacher, Board of Appeals Past Chairperson, agreed there were very few variance appeals to the City Council. She also felt it would be a burden and extra expense on citizens to file appeals at the Circuit Court level.

Consensus: **DEFER TO THE SEPTEMBER COUNCIL WORKSHOP MEETING.**

#### **CONTRACTS / AGREEMENTS / NONE**

#### **ISSUE DEVELOPMENT**

Relay for Life

**RELAY FOR LIFE USE OF JARBOE PARK:** City Manager Jarboe explained Relay for Life was a non-profit, overnight event to raise funds for cancer research.

Vice Mayor Pruette stated the event has been held in Jarboe Park in the past and asked past Chair and Senior Activities Center Director Leslie Lyne to address the Council.

Leslie Lyne stated she chaired the event for the three or four years that it was held in Jarboe Park before it was moved to Fletcher High School. She stated it was a very well organized event and she felt because the location in Jarboe Park was more visible that it would help get more citizens involved.

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

Girls on the Run

**GIRLS ON THE RUN USE OF JARBOE PARK:** City Manager Jarboe explained the Girls on the Run program was to help young girls build self esteem.

Meagan McKissick, Executive Director, Girls on the Run, explained there were 650 young girls involved in the program at 44 different locations. They planned to meet under the pavilion and run around the perimeter of the park.

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

Hazardous Waste

**RESOLUTION NO. 2008-XX, HAZARDOUS WASTE:** A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA REQUESTING THE CITY OF JACKSONVILLE PROVIDE AT LEAST TWO HAZARDOUS WASTE PICK-UPS A YEAR AT THE BEACHES.

Vice Mayor Pruette felt once a year pick up for hazardous waste was not enough for the

beaches. She asked the Council to support this Resolution requesting that the City of Jacksonville pick up beaches hazardous waste twice per year.

Councilor Pardee suggested if the City of Jacksonville was unable to pick up hazardous waste at the beach twice a year then perhaps Neptune Beach could provide a truck and driver once a year to pick it up and deliver it to the City of Jacksonville waste site.

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

Jarboe Park

**FRIENDS OF JARBOE PARK:** Councilor Lee asked staff to develop a foundation to help raise money toward upgrades for Jarboe Park.

Councilor Pardee added the foundation should include rules established for determining how the money would be spent.

Consensus: **HAVE STAFF DEVELOP A FOUNDATION TO HELP RAISE MONEY TOWARD UPGRADES FOR JARBOE PARK.**

Irrigation & Fertilizer

**IRRIGATION AND FERTILIZER ORDINANCE:** City Manager Jarboe suggested that staff simplify the City of Jacksonville ordinance and bring it back for Council review.

Consensus: **TO SIMPLIFY THE CITY OF JACKSONVILLE IRRIGATION AND FERTILIZER ORDINANCE AND FORWARD TO THE SEPTEMBER WORKSHOP FOR COUNCIL REVIEW.**

Vice Mayor Pruette stated a doggie station was donated by the Bosco family and placed on the corner of First Street and Cherry Street. She suggested donating one herself. City Manager Jarboe advised the more doggie stations the city had the more city staff would be needed to empty the stations.

Councilor Lee reminded Council of the commitment that was made to install pedestrian friendly crosswalks and signals during the repaving of Penman Road and Atlantic Boulevard.

Adjournment

There being no further business, the meeting adjourned at 7:10 pm.

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Richard A. Brown, Mayor

Attest:

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Lisa Volpe, CMC, City Clerk

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