



**MINUTES  
REGULAR CITY COUNCIL MEETING  
MAY 5, 2008 AT 6:00 P.M.  
CITY HALL, 116 FIRST STREET  
NEPTUNE BEACH, FLORIDA**

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Pursuant to proper notice a Regular Meeting of the City Council of the City of Neptune Beach was held May 5, 2008 at 6:00 p.m., in the City Hall Council Chambers, 116 First Street, Neptune Beach, Florida.

Attendance

IN ATTENDANCE:

STAFF:

Mayor Richard A. Brown  
Vice Mayor Harriet Pruette  
Councilor Fred Lee  
Councilor John Weldon  
City Attorney Christopher 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

ABSENT:

Councilor Eric Pardee

Order Call/Pledge

Mayor Brown called the meeting to order at 6:00 p.m. and led the pledge of allegiance.

**AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS / NONE**

**APPROVAL OF MINUTES**

Moved by Pruette, seconded by Lee.

Motion: **TO APPROVE THE FOLLOWING MINUTES:**

**APRIL 7, 2008, REGULAR CITY COUNCIL MEETING**  
**APRIL 21, 2008, WORKSHOP CITY COUNCIL MEETING**

Roll Call Vote:

Ayes: 4- Lee, Pruette, Weldon, Brown  
Noes: 0

**MOTION CARRIED**

**COMMUNICATIONS AND CORRESPONDENCE**

City Clerk Volpe announced for the month of May the Florida League of Cities monthly dinner was being held in Jacksonville Beach.

City Manager Jarboe stated if Council desired he could allow the Green Market to operate temporarily in Jarboe Park by issuing a special event permit.

Consensus: **TO ALLOW THE CITY MANAGER TO ISSUE A SPECIAL EVENT PERMIT TO ALLOW THE GREEN MARKET TO TEMPORARILY OPERATE IN JARBOE PARK WHILE THE ORDINANCE MOVES THROUGH THE ADOPTION PROCESS.**

#### **CITY MANAGER REPORT**

City Manager Jarboe reported on the following:

- The repairs on the manholes have been completed.
- The bids for the Kings Road Bridge were in process.

#### **COMMENTS FROM THE PUBLIC**

Vita Hope, 324 Driftwood Road, voiced concern regarding the proposed dangerous dog ordinance and the requirement that they be muzzled.

#### **CONSENT AGENDA**

**RESOLUTION NO. 2008-05:** A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA CONFIRMING THE MEMBERS OF THE NEPTUNE BEACH SENIOR CENTER FOUNDATION BOARD OF DIRECTORS.

Mayor Brown removed the Waste Pro CPI Increase from the consent agenda because the increase of 3.5% that was discussed at the workshop meeting was miscalculated.

Moved by Weldon, seconded by Lee.

Motion: **TO APPROVE THE CONSENT AGENDA ITEM A.**

Roll Call Vote:

Ayes: 4 – Lee, Pruette, Weldon, Brown

Noes: 0

#### **MOTION CARRIED**

**WASTE PRO – CPI Increase of 3.5%:** City Manager Jarboe stated the year to date CPI increase was refigured and amounted to 4.0% in lieu of 3.5%.

Moved by Weldon, seconded by Pruette.

Motion: **TO APPROVE THE CPI INCREASE OF 4% FOR WASTE PRO IN ACCORDANCE WITH THE EXISTING CONTRACT.**

Roll Call Vote:

Ayes: 3 – Pruette, Weldon, Brown

Noes: 1 – Lee

#### **MOTION CARRIED**

#### **VARIANCES / NONE**

#### **ORDINANCES**

Ord. No. 2008-06

**ORDINANCE NO. 2008-06, AMENDING CHAPTER 27, SECTION 27-227, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 17 SALES ARTICLE III OPEN AIR SALES AND MARKET SECTION 17-36 OPEN AIR MARKET**

AREA AND 17-36 HOURS OF OPERATIONS AND PROVIDING AN EFFECTIVE DATE.

Moved by Weldon, seconded by Pruette.

Motion: **TO PASS ORDINANCE NO. 2008-06 ON FIRST READ.**

Roll Call Vote:

Ayes: 4 – Lee, Pruette, Weldon, Brown

Noes: 0

**MOTION CARRIED**

Councilor Lee questioned if the Ordinance would be sent to the Planning & Development Review Board for recommendation to Council before second read. City Clerk Lisa Volpe explained the Ordinance was not in Section 27 and therefore did not require a recommendation from the Planning & Development Review Board. However, the Green Market would need recommendation from the Planning & Development Review Board when they applied for a permit.

**OLD BUSINESS**

Res. No. 2008-06 **RESOLUTION NO. 2008-06:** A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA DESIGNATING PROPERTY LOCATED AT 720 ATLANTIC BOULEVARD AND A PORTION OF THE LEMON STREET RIGHT OF WAY AS A BROWNFIELD AREA FOR ENVIRONMENTAL REHABILITATION AND ECONOMIC DEVELOPMENT AND PROVIDING AN EFFECTIVE DATE.

Mayor Brown requested deferring this Resolution due to new and forthcoming information regarding the property.

Consensus: **TO DEFER RESOLUTION NO. 2008-06 UNTIL NEW INFORMATION IS RECEIVED.**

Res. No. 2008-07 **RESOLUTION NO. 2008-07:** A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA STATING STEPS AN ORDINANCE GOES THROUGH TO BE INTRODUCED TO COUNCIL.

Councilor Weldon explained the steps of the ordinance adoption process.

Vice Mayor Pruette stated Section 2-46 of the Code required that proposed ordinances be approved by the city attorney. Therefore, she felt the ordinance adoption process should include a step that required review by the city attorney before going to the Planning & Development Review Board for recommendation to Council.

**PROCESS FOR ADOPTING ORDINANCES**

1. Proposed ordinance introduced by staff or council member at a workshop meeting.
2. Proposed ordinance be reviewed by the city attorney.
3. Ordinance sent to regular council meeting for first read.
4. Ordinance sent to Planning & Development Review Board for recommendation to Council.
5. Ordinance sent to regular council meeting for second read and adoption.

Moved by Pruette, seconded by Lee.

Motion: **TO APPROVE RESOLUTION NO. 2008-07 AS AMENDED ADDING THE REVIEW BY THE CITY ATTORNEY.**

Roll Call Vote:  
Ayes: 4 – Lee, Pruette, Weldon, Brown  
Noes: 0

MOTION CARRIED

NEW BUSINESS

Res. No. 2008-08 RESOLUTION NO. 2008-08: A RESOLUTION APPOINTING MEMBERS TO THE CODE ENFORCEMENT BOARD.

Mike Bullock, 1012 Second Street, introduced himself to the Council and expressed his desire to serve the city.

Moved by Weldon, seconded by Pruette.

Motion: TO APPROVE RESOLUTION NO. 2008-08.

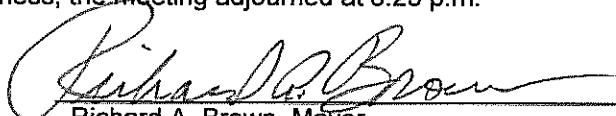
Roll Call Vote:  
Ayes: 4 – Lee, Pruette, Weldon, Brown  
Noes: 0

MOTION CARRIED

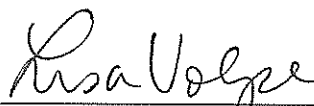
Councilor Weldon encouraged council members to visit the abandoned property on San Pablo Road where the old Wal-Mart was closed.

Adjournment

There being no further business, the meeting adjourned at 6:25 p.m.

  
Richard A. Brown, Mayor

ATTEST:

  
Lisa Volpe, CMC, City Clerk



Approved: 6-2-08