



MINUTES
WORKSHOP CITY COUNCIL MEETING
JUNE 15, 2009, 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 June 15, 2009 at 6:00 p.m., in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida.

Attendance:

IN ATTENDANCE:

STAFF:

Mayor Harriet Pruette
Vice Mayor John Weldon
Councilor Fred Lee
Councilor Eric Pardee
Councilor Kara Tucker
City Attorney Christopher White
City Manager Jim Jarboe
City Clerk Lisa Volpe, CMC

Director of Finance Steve Ramsey
Director of Public Safety David Sembach
Deputy City Clerk Karla Strait, CMC

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

PRESENTATIONS

Green Market

GREEN MARKET – ONE YEAR UPDATE: Gretchen Ferrell gave a presentation regarding the success of the Green Market and Community Garden.

Ms. Ferrell explained the Green Market began one year ago and attracts an estimated 800 to 1,000 customers per week. There are 25 vendor spots on a weekly basis. Items for sale include produce, eggs, chicken, beef, honey, fresh cut flowers, hand crafted natural soaps, body products, cleaning products, pest control, salsa, hot sauces, tea, sandwiches, organic shaved ice, granola, coffee, all natural dog treats, breads, pastries, etc. Another feature of the market are booths for non-profit such as the Breast Cancer Marathon, No More Homeless Pets, Sea Turtle Awareness, and the Beaches Library Card Membership Drive. There is also a Local Business Spotlight where a local business can advertise if they are doing something positive for the environment or the community. Collection jars were also present at booths for donations to help improve Jarboe Park.

Throughout the first year problems occurred regarding parking, vendors parking on the basketball court, and vendors using the neighbor's dumpsters. All of these issues have been resolved.

Ms. Ferrell explained the Community Garden began one year ago with a meeting at Fletcher High School. The garden has twenty-four plots and a waiting list for others wanting to garden a plot. There is also a children's garden, a toddler's garden and an educational plot. The Community Garden is open to the community from 12:30 p.m. to 5:00 p.m. every Saturday. They have guided tours with hands on tasting and smelling of foods and herbs. They also have Outreach Programs with classes in plant propagation,

organic fertilizations, pest control, seed saving, and composting. These classes average 20 students per class. This summer there will also be classes for canning, pickling, and pot making.

During the first year there was a problem with vandalism and a complaint regarding the appearance of the compost. Native Sun helped to raise over \$600.00 to help them with the damages from the vandalism and they have placed a screen around the compost pile so that it cannot be seen from the street. They also cleaned out the plants in the ditch to provide a better flow and were working on options to plant erosion control native plants in the ditch.

Mayor Pruette stated Ms. Ferrell was doing an excellent job and has made Neptune Beach very proud. She felt it was good that Ms. Ferrell worked in partnership to resolve issues regarding the Community Garden and the Green Market.

Vice Mayor Weldon also complimented Ms. Ferrell on a job well done.

Councilor Lee felt as long as the city and volunteers could continue to work together on any problems that may arise, the Community Garden and the Green Market would continue to be successful.

CITY MANAGER'S ACTION LIST

City Manager Jarboe reported on the following:

- The income level for Neptune Beach was too high for the city to qualify for stimulus money.
- Florida Highway Patrol was investigating an accident that occurred on Penman Road at Atlantic Boulevard over the weekend.
- Jacksonville Transportation Authority was working on a project on the south side of the Intracoastal on Atlantic Boulevard.
- The Public Service Department was working with the City of Atlantic Beach and engineers to complete the nitrogen study.

PUBLIC COMMENTS

- Marsha Coker, 206 Margaret Street, was concerned about disruptive noise on Margaret Street.

PROPOSED ORDINANCES

Vending Machines

ORDINANCE NO. 2009-XX. AMENDING CHAPTER 26. VENDING MACHINES: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 26 VENDING MACHINES, SECTION 26-1 DEFINITION AND ADDING SECTION 26-7 OUTDOOR MACHINES AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe explained this Ordinance defined vending machines as any unattended machine operated by coin, currency, credit card, slug, token, coupon or similar device, which dispenses food, beverages or other items of tangible personal property, except any such machine exempt from the payment of a local business tax receipt by state law.

Consensus: **HAVE THE CITY ATTORNEY AND THE CITY MANAGER GATHER MORE INFORMATION AND FORWARD TO THE JULY WORKSHOP MEETING.**

Uses / Zoning

ORDINANCE NO. 2009-XX, AMENDING CHAPTER 27-227 SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 27 UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE IV, LAND USE, SECTION 27-227 SPECIAL RESTRICTIONS AND CONDITIONS ON ALLOWABLE USES WITHIN ZONING DISTRICTS AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe explained this Ordinance would allow outdoor vending machines as outlined in Chapter 26, subsection 26-7. He suggested amending the ordinance to allow outdoor vending machines by special exception only.

Councilor Pardee felt there was no rush on the issue and more time should be allotted for public input. He would agree to discuss allowing vending machines by special exception.

Vice Mayor Weldon stated he would be reluctant to allow outdoor vending machines because he felt they would degrade the appearance of the community. He would agree to discuss allowing them by special exception.

Mayor Pruette felt Red Box Movie Rentals would be a convenience to the community. She felt vandalism would not be an issue because they did not accept cash. She would also agree to support allowing vending machines by special exception.

Councilor Lee felt allowing vending machines in general would be opening a Pandora's box. He would be open to discuss allowing them as a special exception.

City Attorney White advised, under the 1st Amendment, restrictions could not be imposed on vending machines containing any type of publications.

Consensus: **HAVE THE CITY ATTORNEY AND THE CITY MANAGER GATHER MORE INFORMATION AND FORWARD TO THE JULY WORKSHOP MEETING.**

CONTRACTS / AGREEMENTS / NONE

ISSUE DEVELOPMENT

Margaret Street

MARGARET STREET NOISE: City Manager Jarboe stated the Public Safety Department has received eight noise complaints on Margaret Street since January 1st. He felt, due to the number of multifamily homes and tenants on the street, the issue would only worsen with the upcoming summer season. He suggested amending the Three Strike Ordinance to allow police officers the discretion to ticket the defendant on the first offense instead of giving a warning. He also suggested changing the Three Strike Ordinance to a Two Strike Ordinance in an effort to correct the problem sooner.

City Attorney White stated the City of Fernandina Beach was in the process of adopting a similar ordinance and once it was passed he would circulate a copy to the Council.

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

Crafternoon

CRAFTERNOON – USE OF JARBOE PARK FOR EVENT: City Manager Jarboe stated the Crafternoon event has taken place in Jarboe Park for the past three years without incident. Any money received from the event would be donated to charity.

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

DISCUSSION

Councilor Lee questioned the progress of the creation of a non-profit status for Jarboe Park improvements.

City Manager Jarboe replied Council has not approved the creation of a nonprofit status for Jarboe Park.

Mayor Pruette suggested reviewing the tape and minutes of the meeting to determine previous Council action and placing the issue on the July workshop meeting.

Consensus: **TO PLACE NON-PROFIT STATUS FOR JARBOE PARK ON THE JULY WORKSHOP AGENDA.**

Adjournment

There being no further business, the meeting adjourned at 6:56 pm.

Harriet Pruette, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____