



MINUTES
WORKSHOP CITY COUNCIL MEETING
JULY 20, 2009, AT 6:15 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 July 20, 2009 at 6:15 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 Manager Jim Jarboe
City Clerk Lisa Volpe, CMC

Community Development Director Amanda Askew
Assistant Chief Anthony Carrillo
Senior Activity 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

ABSENT:

City Attorney Christopher White

Call to
Order/Roll Call

Mayor Pruette called the meeting to order at 6:15 p.m.

PRESENTATIONS

Fletcher High

Mayor Pruette and Councilor Kara Tucker presented a Proclamation of Congratulations to the Fletcher High School Athletic Department for having an outstanding season.

Mayor Pruette recognized City of Jacksonville Councilman Art Graham, who was present for the meeting.

CITY MANAGER'S ACTION LIST

City Manager Jarboe reported on the following:

- Labor union negotiations were in progress.
- There was a water main break at Fifth Street and Florida Boulevard.
- He was working with St. Johns Water Management District regarding grants.
- He would provide information regarding the nitrogen removal at the next meeting.
- He was waiting to hear from FDOT regarding the stamped crosswalks.

Councilor Pardee stated the community garden in Jarboe Park was in disarray. City Manager Jarboe replied he has asked the organizers of the garden to have the weeds cleaned up. Councilor Pardee asked City Manager Jarboe to stay on top of the situation.

Vice Mayor Weldon questioned the progress of the crosswalk enhancements. City Manager Jarboe stated he has not received a reply to a letter he sent FDOT over a month ago. He would send a new letter.

City Manager Jarboe announced the Beaches Challenge 5K Run would take place on August 15th at 8:30 a.m. on the beach. The proceeds would benefit programs offered at the Neptune Beach Senior Activities Center.

PUBLIC COMMENTS

Lynda Padrta, 1113 First Street, felt the City could save money by eliminating the maintenance of the First Street right-of-way. She also voiced support for the noise ordinance.

PROPOSED ORDINANCES

Margaret St.
Noise

ORDINANCE NO. 2009-06, AMENDING CHAPTER 13, SECTION 13-5 NOISE PROHIBITED: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 13 NOISE, SECTION 13-5 NOISE PROHIBITED; UNNECESSARY NOISE STANDARD; STATEMENT OF INTENT; SWORN COMPLAINT REQUIRED; PROPERTY OWNER RESPONSIBILITY AND SECTION 13-6 VIOLATION PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

Councilor Pardee was concerned that most of the noise complaints were from residents of Margaret Street. He asked if there were other areas of the city with noise concerns. City Manager Jarboe replied there were also complaints from other streets but the main problem area was Ocean Oaks Apartments on Seagate Avenue. Councilor Pardee stated the city should also focus on ways to reduce noise from Ocean Oaks Apartments. City Manager Jarboe suggested Council direct him to draft a separate ordinance concentrating on ways to reduce the noise from Ocean Oaks Apartments.

Consensus: **TO HAVE THE CITY MANAGER START THE PROCESS WITH THE CITY ATTORNEY TO DRAFT AN ORDINANCE CONCENTRATING ON REDUCING THE NOISE FROM OCEAN OAKS APARTMENTS.**

Consensus: **FORWARD THE NOISE ORDINANCE TO THE AUGUST REGULAR MEETING FOR SECOND READ.**

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 stated the reason vending machines were not allowed was because they created blight and were subject to vandalism. He added if vending machines were allowed by special exception only, the Council would have the opportunity to deny or approve each specific request.

Councilor Pardee stated the ordinance amendment was initiated when citizens complained that the city asked Winn Dixie and Walgreens to remove the Red Box / DVD Rental Vending Machines from the front of their stores.

Mayor Pruette felt vandalism would not be an issue with Red Box / DVD Rental Machines because they did not accept cash.

Councilor Lee stated he would support the ordinance if Council had control by special exception.

Vice Mayor Weldon felt Red Box / DVD Rental Vending Machines should not be allowed by special exception because this would open the door for other types of vending machines.

Mayor Pruette felt vending machines should be allowed by special exception because they provided profit to local businesses.

Vice Mayor Weldon stated he also supported small businesses but he did not want to endanger the long range vision, or quality of life standards, in Neptune Beach.

Councilor Tucker supported the ordinance by special exception only.

Councilor Pardee asked if the existing vending machines throughout the city would be grandfathered. He also questioned why they existed if they were not allowed by Code.

City Manager Jarboe responded the city has not received any complaints regarding any of the existing vending machines. He added the city has been reactive, in lieu of proactive, regarding code enforcement action. He would have the existing vending machines removed if instructed by Council.

Councilor Lee suggested forwarding the ordinance to a future workshop.

Consensus: **FORWARD TO A FUTURE WORKSHOP.**

Uses / Zoning

ORDINANCE NO. 2009-XX, AMENDING CHAPTER 27 UNIFIED LAND DEVELOPMENT REGULATIONS, SECTION 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.

Consensus: **FORWARD TO A FUTURE WORKSHOP.**

Alcoholic
Beverages

ORDINANCE 2009-XX, ALCOHOLIC BEVERAGES: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEPTUNE BEACH, FLORIDA DELETING CHAPTER 4 ALCOHOLIC BEVERAGES, SECTION 4-7 EMPLOYEES AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe explained the current Ordinance was adopted to help enforce State law requiring restaurant/bar owners to conduct background checks on all employees.

Vice Mayor Weldon added he introduced this ordinance amendment because several restaurant owners received code enforcement violations for noncompliance. He felt since this was a State requirement it was not necessary for the city to enforce it.

Councilor Tucker agreed this requirement should be enforced by the State.

Councilor Lee questioned if the city received revenue for the code violations. Finance Director Steve Ramsey replied the city might receive \$5.00 per background check.

City Manager Jarboe added the restaurant/bar owners could be fined or possibly lose their license if they did not comply with this State law.

Councilor Pardee asked that staff remind restaurant/bar owners of this State requirement annually when they renewed their business license.

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

CONTRACTS / AGREEMENTS / NONE

ISSUE DEVELOPMENT

Res. No. 2009-xx

RESOLUTION NO. 2009-XX: A RESOLUTION OF THE CITY OF NEPTUNE BEACH CITY COUNCIL ACCEPTING THE DUVAL COUNTY LOCAL HAZARD MITIGATION STRATEGY DOCUMENT.

City Manager Jarboe stated this Resolution required the city to participate with the Emergency Operations Center. It also would allow the city to receive funding for hazardous events.

Consensus: **FORWARD TO THE AUGUST REGULAR MEETING FOR APPROVAL.**

Jarboe Park 501(c)3

JARBOE PARK DEVELOPMENT OF 501(C)3: Councilor Lee stated he originally suggested developing a 501(c)3 for Jarboe Park donations. He was asking to amend that suggestion and instead of developing a 501(c)3, have the City Manager and Finance Director set up an account to receive donations for Jarboe Park improvements.

Consensus: **TO HAVE THE CITY SET UP AN ACCOUNT TO RECEIVE DONATIONS FOR JARBOE PARK.**

DISCUSSION

Vice Mayor Weldon asked Council for a consensus to have the City Manager draft a Resolution supporting funding for the Sulzbacher Center.

Councilor Lee voiced concern that more groups would be requesting our support.

Mayor Pruette suggested the City Manager draft a Resolution in support of all beach related concerns affected by the City of Jacksonville budget cuts.

Vice Mayor Weldon felt the Sulzbacher Center deserved a separate Resolution of support because it assisted the city's most vulnerable people.

Councilor Tucker felt the Resolution should also include support funding for the Neptune Beach Library.

Consensus: **TO HAVE THE CITY MANAGER DRAFT A RESOLUTION ADDRESSING BEACH RELATED CONCERNS TO THE CITY OF JACKSONVILLE.**

City of Jacksonville Councilman Art Graham stated he would address our concerns, regarding the stamped crosswalks, with the Florida Department of Transportation.

Adjournment There being no further business, the meeting adjourned at 7:00 pm.

Harriet Pruette, Mayor

Attest:

Lisa Volpe, CMC, City Clerk

Approved: _____