



MINUTES
SPECIAL CITY COUNCIL MEETING
APRIL 20, 2009 AT 6:00 P.M
CITY HALL, 116 FIRST STREET
NEPTUNE BEACH, FLORIDA

Pursuant to proper notice a Special Meeting of the City Council of the City of Neptune Beach was held April 20, 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 Chris White
City Manager James Jarboe
Deputy City Clerk Karla Strait, CMC

Community Development Director Amanda Askew
Senior Center Director Leslie Lyne
Director of Finance Steve Ramsey
Director of Public Safety David Sembach
Director of Public Services Leon Smith

Order Call

Mayor Pruette called the special meeting to order at 6:00 p.m.

Res. No. 2009-06

RESOLUTION NO. 2009-06: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA REQUESTING THE CITY OF JACKSONVILLE TO CONTINUE TO PROVIDE A TAX COLLECTOR OFFICE AT THE BEACHES.

Moved by Weldon, seconded by Lee.

Motion: **TO ADOPT RESOLUTION NO. 2009-06.**

Roll Call Vote:

Ayes: 5 – Lee, Pardee, Tucker, Weldon, Pruette

Noes: 0

MOTION CARRIED

Town Center Art Sculpture

TOWN CENTER ART SCULPTURE: Mayor Pruette stated the Council had a workshop meeting and a joint meeting was also held with the Atlantic Beach Commission to discuss the art sculpture "Pathfinder". The Council also received many e-mails from citizens regarding their opinion on the placement of the art sculpture in the Town Center roundabout.

Councilor Weldon asked Michael Dunlap to approach the podium and give an update on the agreements with Atlantic Beach regarding the maintenance of the sculpture and the escrow fund to cover the costs.

Michael Dunlap explained Atlantic Beach approved placement of the "Pathfinder" in the roundabout with the condition that an escrow account be set up to cover the cost of maintenance for 20 years past the date of completion. However, an amount was not specified. Mr. Dunlap felt the amount needed to be determined by the Town Center Agency Board and both cities.

Vice Mayor Weldon clarified that tax payer money would not be used to cover the cost of the sculpture or the maintenance of the sculpture for the first 20 years. Michael Dunlap replied the project would be privately funded with no cost to the city.

Mr. Dunlap summarized the Town Center Agencies response to the Council's previous concerns. The base was lowered to 12 inches, the coating would be good for 10 to 15 years and the expense for recoating would be included in the escrow account. The bearings were upgraded to steel for minimal maintenance. He felt there was no opposition from the art community. It was recommended for approval by the Planning & Development Review Board. It was also approved by the City of Atlantic Beach. He encouraged the Council to support the "Pathfinder".

Vice Mayor Weldon stated the main concern from the citizens was that the sculpture would block the view of the ocean from Atlantic Boulevard. Mr. Dunlap responded that one of the conditions of the competition for the art project was that the selected art object would not block the view of the ocean. He believed that it was difficult to imagine that the "Pathfinder" would block the view of the ocean from the intersection.

Vice Mayor Weldon stated other complaints were that the sculpture was inappropriate for a beach community. He asked the artist, Jay Shoots, to give his opinion on the subject.

Jay Shoots, Artist and Designer of Pathfinder, explained he designed the Pathfinder to work in harmony with the beaches weather conditions. It did not represent anything specific. He felt it was up to the individual viewing the art to determine its meaning.

Mayor Pruette and each Council Member disclosed they spoke with one or all of the following prior to the meeting: Michael Dunlap, Kelly Elmore, and Jay Shoots.

Councilor Lee questioned, because the art sculpture would be placed on public property, if it would automatically become city property and if so who would be responsible for the liability insurance. City Attorney White stated if the art sculpture was on public property the city would be responsible for the liability insurance. City Manager Jarboe replied the liability would be covered under the umbrella of the city insurance policy or the Council could ask the Town Center Agency to escrow for the insurance if the project was approved.

Moved by Weldon, seconded Lee.

Motion: **TO APPROVE THE PATHFINDER SCULPTURE FOR THE TOWN CENTER ROUNDABOUT.**

Vice Mayor Weldon felt the roundabout was originally designed and intended for public art. He did not want to dismiss the idea of art being placed there in the future. He felt this was a great opportunity for the city to become part of a larger movement of public art throughout the world. He encouraged Council to support his motion.

Councilor Pardee referred to an accident report that happened when a vehicle ran through the roundabout and crashed. He also stated Section 27-576 of the Code was recently created for proposed art projects in commercial districts. He felt the city should follow the Code for this art project request. He added that the city has not received an application, plans or engineering for the project.

Mayor Pruetto opened the floor for comments from public.

Kelly Elmore, 1650 Beach Avenue, Atlantic Beach, past Chairman for Town Center Agency, supported the Pathfinder and asked Council for their approval. He felt that over time the "Pathfinder" would become an iconic element.

Laura Patronik, 1520 Leeward Lane, opposed the Pathfinder. She felt it would be better placed in a different location.

Mary Ann Padrta, 1030 Second Street, also opposed the Pathfinder being placed in the roundabout. She also felt it would be a liability to the city.

Joe Quest, 960 Hagler Drive, opposed the Pathfinder. He also felt the roundabout was not the best location for the sculpture.

Steve Kuti, 1132 Linkside Drive, Atlantic Beach, opposed the Pathfinder. He felt it would be a huge maintenance responsibility.

There being no further comments from the public, the public hearing was closed.

Roll Call Vote:

Ayes: 1 – Weldon

Noes: 4 – Lee, Pardee, Tucker, Pruetto

MOTION FAILED

Adjournment

There being no further business, the meeting adjourned at 6:34 p.m.

Harriet Pruetto, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: _____