



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**APRIL 20, 2009, AT 6:35 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 April 20, 2009 at 6:35 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  
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

Call to Order/Roll Call Mayor Pruette called the meeting to order at 6:35 p.m.

**PRESENTATIONS**

Donald Padgett, Trustee, Police Officers Pension Fund Board, gave a presentation relating to investments, management and funding of the Police Officers Pension Fund. He explained the funds were down 12.3 % as of September 30, 2008. It appeared through March 31, 2009 that the fund will decrease another 10.3 % in investments. The actuarial assumption in projection for next year is to increase the funding for the city to 20.4 %, last year the funding for the city was 17.4%, which is roughly \$30,000. It looks like it will cost the city approximately \$30,000 to \$35,000 for the next budget year. He invited Council to attend the next Board meeting on May 21, 2009 where the investment manager and monitoring agent will be present to answer any questions.

Councilor Lee questioned what percentage the amount would be of the general fund. Director of Finance Ramsey replied it would amount to a little less than 1% of the general fund.

Vice Mayor Weldon stated for the benefit of the Council for the next fiscal year the city would have to contribute \$35,000 toward the pension fund. But the next year after that, if the markets did not improve, it could be a substantial amount.

City Manager Jarboe stated the city was required by state law to make the pension fund whole. The only caveat was it did not have to be all in one year. He felt the board had good financial advisors.

**CITY MANAGER'S ACTION LIST**

City Manager Jarboe reported on the following:

- The new street sweeper should arrive tomorrow after 3:00 p.m. Staff will be training this week with factory representatives.
- The opening and ribbon cutting ceremony for the Kings Road Bridge occurred last Friday.
- An accident occurred over the weekend in the Town Center roundabout.
- Last week when the storm came through several trees were knocked down throughout the city.
- The FEMA fund check should be in the mail. He and Mayor Pruette met with Congressman Ander Crenshaw last week and spoke with him regarding why it was taking so long to receive the check.

Councilor Pardee suggested future art projects follow the Code.

### PUBLIC COMMENTS

Michael Dunlap, 225 Oak Street, supported the non-conforming development ordinance, however, he felt the word "hardship" should be stricken from the findings.

Lynda Padrta, 1113 First Street, supported both proposed ordinances.

### PROPOSED ORDINANCES

Non-conforming  
Development

ORDINANCE NO. 2009-XX: AN ORDINANCE AMENDING SECTION 27-706, NON-CONFORMING DEVELOPMENT.

Community Development Director Askew explained this ordinance would allow the Building Department to issue building permits on non-conforming properties, as long as what they are proposing to do meet all the setbacks.

Vice Mayor Weldon asked Ms. Askew to consider other ideas to upgrade and improve existing homes without encouraging rebuilding on the small parcels east of Third Street.

Consensus: **FORWARD TO FIRST READ AND PUBLIC HEARING IN MAY.**

Required Findings

ORDINANCE NO. 2009-XX: AN ORDINANCE AMENDING SECTION 27-147, REQUIRED FINDINGS NEEDED TO ISSUE A VARIANCE.

Community Development Director Askew stated there was a correction in the proposed ordinance and should be corrected as follows: "#1) A hardship generally occurs when the physical characteristics of a property are such that it cannot be used for any purpose permitted by codes. A hardship may be created by the surroundings, shape or topographical conditions particular to that specific property. However, the hardship cannot be created by or be the result of any property owners own action."

Vice Mayor Weldon asked Community Development Askew if a small piece of property would be considered a "hardship." Mrs. Askew replied the Code allows, for non-conforming lots, to build a structure however, that structure still had to meet all setbacks. Vice Mayor Weldon was concerned about the wording. He asked Mrs. Askew to think about the concept that if someone has a parcel that is too small to build a little house without exceeding the setbacks, would that be considered a hardship.

Mayor Pruette asked Mrs. Askew to obtain a copy of the finding of facts from Atlantic Beach. Mrs. Askew stated she would obtain copies of the finding of facts from both Atlantic Beach and Jacksonville Beach for the Council to review.

Christine Chin, Chairperson, Board of Appeals, stated the entire Board of Appeals supported both proposed ordinances. She did not agree with Mr. Dunlap's suggestion to remove the word "hardship" from the finding of facts.

Consensus: **FORWARD TO FIRST READ AND PUBLIC HEARING IN MAY.**

Mayor Pruette stated she removed the "Water Conservation Ordinance" from the agenda. She wanted to carefully review the proposed ordinance and consider it at a later date.

**CONTRACTS / AGREEMENTS / NONE**

**ISSUE DEVELOPMENT**

Forfeiture Fund

**FORFEITURE FUND EXPEDITURES:** Chief Sembach explained the forfeiture fund could only be used for non-budgeted items. There was currently approximately \$60,000 in the fund. It will be mandated next budget year by the State to reprogram every portable and car radio. The request was to use the fund to purchase the following:

- Asset Forfeiture Training Conference \$1,123.00
  - Motorcycle Helmet & Wireless Microphones 1,002.97
  - Carry-All bags for SWAT Team Members 319.92
  - Magazines for the AR-15 Rifle 359.00
- \$ 2804.89

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

**DISCUSSION**

Councilor Tucker stated Fletcher High School's Girl's Softball team and the Fletcher High Football team were undefeated this season. Mayor Pruette asked Councilor Tucker to provide information for a proclamation to the City Clerk's Office.

Adjournment

There being no further business, the meeting adjourned at 7:19 pm.

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Harriett Pruette, Mayor

Attest:

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Lisa Volpe, CMC, City Clerk

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