



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**OCTOBER 5, 2009 AT 6:00 P.M.**  
**CITY HALL, 116 FIRST STREET,**  
**NEPTUNE BEACH, FLORIDA**

Pursuant to proper notice a Regular Meeting of the City Council of the City of Neptune Beach was held October 5, 2009 at 6:00 p.m., in the City Hall Council Chambers, 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

Community Development Director Amanda Askew  
 Senior Activity Center Director Leslie Lyne  
 Director of Finance Steve Ramsey  
 Director of Public Service Leon Smith

## Order Call/Pledge

Mayor Pruette called the meeting to order at 6:00 p.m. and asked City Clerk Lisa Volpe to lead the Pledge of Allegiance.

**AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS**

Mayor Pruette recognized newly elected City of Jacksonville Councilman John Meserve. Councilman Meserve promised to represent the Beaches on the Jacksonville City Council and protect our local ordinances.

**APPROVAL OF MINUTES**

Moved by Weldon, seconded by Tucker.

## Minutes

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

**SEPTEMBER 9, 2009, REGULAR CITY COUNCIL MEETING**  
**SEPTEMBER 21, 2009, SPECIAL CITY COUNCIL MEETING**  
**SEPTEMBER 21, 2009, WORKSHOP CITY COUNCIL MEETING**

## Roll Call Vote:

Ayes: 5 – Lee, Pardee, Tucker, Weldon, Pruette  
 Noes: 0

**MOTION CARRIED**

**COMMUNICATIONS AND CORRESPONDENCE**

City Clerk Lisa Volpe stated she was nominated to be arrested and raise \$3,200 by November 5<sup>th</sup> for the Muscular Dystrophy Association. She asked for donations.

City Manager Jarboe received an agreement from the City of Jacksonville for the 2009 Sea and Sky Spectacular. They were not requesting funding from the city this year. He asked Council to allow him permission to sign the agreement after it was reviewed by the City Attorney.

Consensus: **TO ALLOW THE CITY MANAGER TO SIGN THE CONTRACT FOR THE SEA AND SKY SPECTACULAR ONCE CITY ATTORNEY WHITE HAS REVIEWED IT.**

**CITY MANAGER REPORT**

City Manager Jarboe reported the following:

- The old Food Lion building would be demolished by the end of the month. The ground breaking ceremony was scheduled for November 5<sup>th</sup>.
- Construction of P.J.s Sports Bar was underway.
- The Beaches Chapel development order for expansion would be before the Planning and Development Review Board in November and would come before Council in December.

**COMMENTS FROM THE PUBLIC**

Chris Chin, 227 Margaret Street, was concerned about how police calls were reported. She stated on Saturday night seven different phone calls were made to the Police Department regarding three separate incidents on Margaret Street, however only one phone call was documented.

**CONSENT AGENDA / NONE**

**VARIANCES / NONE**

**ORDINANCES**

Ord. No. 2009-10 ORDINANCE NO. 2009-10, CHAPTER 4, ALCOHOLIC BEVERAGES, FIRST READ: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING CHAPTER 4 ALCOHOLIC BEVERAGES, SECTION 4-7 PERSONS NOT HOLDING AN ALCOHOLIC BEVERAGE LICENSE AND PROVIDING AN EFFECTIVE DATE.

Moved by Lee, seconded by Weldon.

Motion: **TO PASS ORDINANCE NO. 2009-10 ON FIRST READ.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

Ord. No. 2009-11 ORDINANCE NO. 2009-11, AMENDING CHAPTER 27, STREETS, SIDEWALKS, AND RIGHTS-OF-WAY, FIRST READ: AN ORDINANCE OF THE CITY OF NEPTUEN BEACH, FLORIDA AMENDING CHAPTER 27 UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE X, STREETS, SIDEWALKS, AND RIGHTS-OF-WAY, SECTION 27-479 SIDEWALKS AND BIKEWAYS AND PROVIDING AN EFFECTIVE DATE.

Moved by Weldon, seconded by Tucker.

Motion: **TO PASS ORDINANCE NO. 2009-11 ON FIRST READ.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

**OLD BUSINESS / NONE**

**NEW BUSINESS**

V09-11  
241 Atlantic Blvd.  
Southcoast  
Beaches

**V09-11, VARIANCE REQUEST FOR 241 ATLANTIC BOULEVARD, SOUTHCOAST BEACHES, LLC:** Variance request for the west side yard of a corner lot, Sections 27-548(b)(1) parking space size, Section 27-540(b) required parking, Section 27-457(2)(a)(1) landscape perimeter, Section 27-563 dumpster, and Section 27-547-1 loading space.

Community Development Director Askew explained this development order was previously approved. Due to the current economy, the owner has not been able to develop the property. The Planning and Development Review Board recommended approval with the conditions as previously approved.

Moved by Weldon, seconded by Lee.

Motion: **TO APPROVE VARIANCE V09-11 FOR SOUTHCOAST BEACHES, LLC.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

PDRB-09-13  
241 Atlantic Blvd.  
Southcoast  
Beaches

**PDRB-09-13, DEVELOPMENT ORDER, 241 ATLANTIC BOULEVARD, SOUTHCOAST BEACHES, LLC:** Vice Mayor Weldon stated this development order would extend the original development order previously approved by the Council with the same conditions as before. He asked the developer to move forward with the development as quickly as possible.

Moved by Weldon, seconded by Lee.

Motion: **TO APPROVE PDRB09-13.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

PDRB-09-14  
1209, 1223, 1301  
Atlantic Blvd.

**PDRB-09-14, DEVELOPMENT ORDER, 1209, 1223, 1301 ATLANTIC BOULEVARD REPLAT, PENMAN PLAZA:** The purpose for this Replat development order is to subdivide one lot into four lots.

Moved by Lee, seconded by Pardee.

Motion: **TO APPROVE THE RECOMMENDATION OF THE PLANNING & DEVELOPMENT TO APPROVE PDRB 09-14.**

Councilor Pardee and Councilor Tucker disclosed they spoke with the owners of the property prior to the meeting.

Carlos Asensio, representative for Flagler Group, stated the Replat would allow each building to be located on its own lot.

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Res. No. 2009-13 RESOLUTION NO. 2009-13: A RESOLUTION IN SUPPORT OF BEACHES VETERAN SERVICE ORGANIZATION'S "ARMED FORCES COMMUNITY COVENANT" PROGRAM.

Moved by Weldon, seconded by Lee.

Motion: **TO APPROVE RESOLUTION NO. 2009-13.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Res. No. 2009-14 RESOLUTION NO. 2009-14: A RESOLUTION OF THE CITY OF NEPTUNE BEACH, DUVAL COUNTY, FLORIDA APPROVING AND AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND CITY OF NEPTUNE BEACH PERTAINING TO THE INSTALLATION OF DECORATIVE CROSSWALKS AS PART OF THE DEPARTMENTS SR A1A RESURFACING PROJECT (FM 403350-4-52-01) IN DUVAL COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

City Manager Jarboe stated once the decorative crosswalks were installed the city would be responsible for their maintenance.

City Attorney White stated there were some errors in the Memorandum of Agreement that he and the City Manager would address.

Moved by Weldon, seconded by Lee.

Motion: **TO APPROVE RESOLUTION 2009-14.**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Res. No. 2009-15 RESOLUTION NO. 2009-15: A RESOLUTION APPOINTING MEMBERS TO THE CODE ENFORCEMENT BOARD.

Moved by Lee, seconded by Pruette.

Vice Mayor Weldon asked if Mr. Bullock was a new member or an existing member. City Clerk Volpe stated Mr. Bullock was currently an alternate member.

Councilor Pardee was concerned about the number of absences the board members have had in the past. City Clerk Volpe stated alternate members did not have to sit on the boards if a quorum was present.

Motion: **TO APPROVE RESOLUTION 2009-15.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

City Surplus

**SURPLUS OF CITY VEHICLE:** City Manager Jarboe stated he would like to surplus a 1997 pickup truck.

Councilor Lee asked City Manager Jarboe how records were kept on city vehicles. City Manager Jarboe stated the chief mechanic kept records on every vehicle regarding service and cost of repairs. The chief mechanic determines if the cost of repairs are costing the city more than the vehicle was worth.

Councilor Lee questioned how new vehicles were purchased and if they would be more sufficient. City Manager Jarboe responded new vehicles were purchased through the State or Sherriff's office contracts according to their standards.

Moved by Weldon, seconded by Lee.

Motion: **TO SURPLUS THE 1997 PICKUP TRUCK.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

Union Contracts

**APPROVAL OF THE LOCAL 630 AND THE NEPTUNE BEACH PUBLIC SAFETY DEPARTMENT LABOR COUNCIL CONTRACTS:** Mayor Pruette stated there were no changes in the union contracts from last year except that there were no salary increases. City Manager Jarboe stated both unions worked with him and voted to approve the contracts. The only change was there were no salary increases.

Moved by Weldon, seconded by Lee.

Motion: **TO APPROVE THE LOCAL 630 AND NEPTUNE BEACH PUBLIC SAFETY DEPARTMENT LABOR COUNCIL CONTRACTS WITH OUR THANKS TO THE UNIONS FOR COOPERATING WITH THE CITY IN THIS PERIOD OF ECONOMIC DISTRESS.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

Holiday  
Decorations

**TOWN CENTER HOLIDAY DECORATIONS:** Mayor Pruette stated this would authorize the City Manager to accept a grant from the Town Center Association for Town Center holiday decorations.

City Manager Jarboe stated the Town Center Association would like to upgrade the holiday decorations in Town Center. The city would own the decorations and be responsible for their placement.

Moved by Lee, seconded by Tucker.

Motion: **TO ALLOW THE CITY MANAGER TO ACCEPT THE GRANT FROM THE TOWN CENTER ASSOCIATION.**

Lindey Tolbert, member of the Town Center Association, explained the money would come from Town Center fund raising events and private donations.

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

**OPEN DISCUSSION**

Adjournment

There being no further business, the meeting adjourned at 6:45 p.m.

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Harriet Pruette, Mayor

ATTEST:

Lisa Volpe, CMC, City Clerk

Approved: