



**MINUTES**  
**WORKSHOP CITY COUNCIL MEETING**  
**FEBRUARY 8, 2010, AT 6:00 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 February 8, 2010 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 Fred Lee  
Councilor Eric Pardee  
Councilor Kara Tucker  
Councilor John Weldon  
City Attorney Chris White  
City Manager Jim Jarboe  
City Clerk Lisa Volpe, CMC

Senior Activity Center Director Leslie Lyne  
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**

Mayor Pruette announced the artwork displayed in the Council Chambers was the work of local artist Ms. Linda Olsen.

**CITY MANAGER'S ACTION LIST**

City Manager Jarboe reported on the following:

- The \$900,000 grant from the St. Johns River Water Management District was in the approval stage. This will help with the unfunded mandate from the Department of Environmental Protection and the Environmental Protection Agency.
- Grants for solar power and the retrofit of the Sewer Plant were also in process.

Councilor Pardee asked if grants for 'green' vehicles were available. City Manager Jarboe stated there were grants for \$3,000 available for vehicles. He did not think \$3,000 was enough money to help the city purchase vehicles. He added the City did not purchase any vehicles last year and did not plan to purchase vehicles this year except for those purchased through police grants.

Councilor Pardee questioned if battery powered vehicles could be used on the beach. City Manager Jarboe stated battery operated vehicles would not have enough power use on the beach.

Vice Mayor Lee asked City Manager Jarboe to comment on the Hopkins Creek Contamination Study. City Manager Jarboe explained the Department of Environmental Protection found a fecal count in Hopkins Creek. A study was being conducted to determine where the contamination originated.

Mayor Pruette asked City Manager Jarboe to comment on the status of the repairs of the railings on the Kings Road Bridge. City Manager Jarboe explained a driver swerved to miss an animal and hit the railing on the Kings Road Bridge. The railing was repaired Friday afternoon.

Councilor Weldon reminded the Council they had originally agreed to place a pedestrian walkway across the King Road bridge. City Manager Jarboe stated now that the bridge was complete he would submit an application for funding to the Inland Navigation District.

### **PUBLIC COMMENTS**

Ann Von Thron, 1012 Oceanfront, supported extending the parking hours on First Street to 9:30 or 10:00 p.m.

Vita Hope, 324 Driftwood, supported extending the parking hours on First Street to 10:00 or 10:30 p.m.

John Underwood, 110 Magnolia Street, supported extending the parking hours on First Street.

Kerry Chin, 227 Margaret Street, supported extending the parking hours on First Street to 9:30 p.m.

David Baker, 1102 First Street, supported extending the parking hours on First Street to 9:30 p.m.

Todd Bosco, 135 Cherry Street, supported extending the parking hours on First Street to 9:30 p.m.

### **PROPOSED ORDINANCES**

Water  
Conservation

**ORDINANCE NO. 2010-XX, WATER CONSERVATION:** AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA ADDING (d) TO SECTION 23-27 IN THE CODE OF ORDINANCES ADOPTING THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT'S WATER CONSERVATION RULE FOR LANDSCAPE IRRIGATION.

City Manager Jarboe explained the St. Johns River Water Management District has encouraged counties and cities to enforce their water conservation rules. The city is required to adopt the Ordinance in order to be eligible for grants through the SJRWMD.

Vice Mayor Lee felt if the SJRWMD was willing to help, the City should also do our part by enforcing their water conservation rules.

Councilor Pardee felt the rules were very restrictive and would be hard for the city to enforce. City Manager Jarboe explained this Ordinance would implement only the two day rules that are outlined in the Ordinance.

Councilor Pardee was also concerned about having to raise water rates due to less water consumption.

Mayor Pruette asked that all Council members sponsor this Ordinance.

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

**CONTRACTS / AGREEMENTS / NONE**

**ISSUE DEVELOPMENT**

Road Connecting Shopping Centers

**RESOLUTION NO. 2010-XX:** A RESOLUTION OF THE CITY OF NEPTUNE BEACH, FLORIDA REQUESTING THAT REGENCY PROPERTIES, OWNERS OF SEMINOLE SHOPES, AND NEPTUNE BEACH REALTY CORP., OWNERS OF NEPTUNE PLAZA, CONSIDER CONSTRUCTING A PASS THROUGH BETWEEN THEIR TWO SHOPPING CENTERS.

City Manager Jarboe explained the City could not construct the road because the property was private property abutting Proctor Ace Hardware and the new Publix. A negotiation for the roadway construction was underway between the two property owners.

Councilor Weldon felt this was a very important public safety issue. He questioned if the Resolution was aggressive enough and suggested sending a stronger message to the property owners.

Mayor Pruette stated as Mayor she would write a letter using stronger language to send to the property owners along with the Resolution.

Councilor Pardee felt the roadway between the shopping centers would remove the traffic impact on Atlantic Boulevard. He would support the Resolution but he felt using stronger language and putting pressure on the property owners would have a negative impact.

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

Restrictive Covenant

**DISCUSSION OF RESTRICTIVE COVENANT:** City Manager Jarboe explained the restrictive covenant was for the old McCall's site which was an old pesticide storage facility. The restrictive covenant would mean there could never be residential buildings on the property. City Attorney White would be working with the attorney for McCall's.

Mayor Pruette asked if this would any cost to the City. City Manager Jarboe replied this would not be any cost to the City.

Vice Mayor Lee asked City Attorney White if the City would be liable for any damages in the future. City Attorney White replied the city would not face any liability. There would be indemnification language in the subordination agreement between the city and property owner.

Consensus: **TO GIVE THE CITY MANAGER AUTHORITY TO MOVE FORWARD AND BRING BACK THE ISSUE TO THE COUNCIL.**

Plant Sale

City Manager Jarboe stated the Community Garden was requesting permission to have a plant sale to raise money for their educational program. The policy for large events held in Jarboe Park was that they needed approval from the Council.

Laurie Clark, 420 South Street, a coordinator for the Community Garden, explained they would like to hold fall and spring fundraisers to raise money for upkeep, maintenance, and educational programs.

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

Forfeiture Funds

**EXPENDITURES FROM POLICE FORFEITURE FUNDS:** City Manager Jarboe stated the forfeiture fund came from confiscated property of felony offenders. Finance Director Steve Ramsey explained there was currently \$60,000 in the Fund. Chief Sembach was requesting expenditures in the amount of \$11,998.

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

First Street  
Parking

**EXTENDING PARKING HOURS ON FIRST STREET:** City Manager Jarboe stated there have been recent requests to extend the parking on First Street to 9:30 or 10:00 p.m. The Police Chief has the authority to change the hours, however, because the current "no parking signs" have been in place for many years, he thought it was appropriate to seek approval from the Council.

Mayor Pruette read the following from the Code of Ordinances: Section 22-27: Authority to prohibit. The chief of police of the city hereby is authorized and empowered to designate such areas within which motor vehicles may not be parked or left unattended as he may deem necessary to promote fire safety and patrol security.

Councilor Pardee felt parking on First Street should be allowed to 10:00 p.m.

Vice Mayor Lee stated he would like to see the parking on First Street extended to 9:30 p.m.

Councilor Tucker stated she would support extending the hours to either 9:30 or 10:00 p.m.

Councilor Weldon supported extending the parking to 10:00 p.m. He did not feel a half an hour would make much difference.

Mayor Pruette supported extending the parking to 9:30 p.m. She asked Police Chief Sembach to consistently enforce the no parking hours and report back to the Council January 2011.

Consensus: **TO AUTHORITY THE CITY MANAGER AND THE POLICE CHIEF TO EXTEND THE PARKING HOURS ON FIRST STREET.**

Discussion

Councilor Weldon voiced concern regarding the spoil island placed in the intracoastal waterway by the Jacksonville Transportation Authority. The concern was that J.T.A. did not properly complete the project. City Manager Jarboe suggested the Mayor write a letter encouraging J.T.A. to landscape the spoil island.

Adjournment

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

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Harriet Pruetter, Mayor

Attest:

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Lisa Volpe, CMC, City Clerk

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