



MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, OCTOBER 1, 2018, AT 6:00P.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 Monday, October 1, 2018, at 6:00 p.m. in the City Hall Council Chambers, 116 First Street, Neptune Beach, Florida.

Attendance

IN ATTENDANCE:

Mayor Elaine Brown
 Vice Mayor Scott Wiley
 Councilor Richard Arthur
 Councilor Rory Diamond
 Councilor Fred Jones *(late, 6:25 p.m.)*

STAFF:

City Manager Andrew Hyatt
 Deputy City Manager Amanda Askew
 Chief of Police Richard Pike
 Public Works Director Leon Smith
 Commander Michael Key
 Commander Gary Snyder
 Senior Center Director Leslie Lyne
 City Clerk Catherine Ponson

**Call to
Order/Pledge**

Mayor Brown called the meeting to order at 6:00 p.m. and Councilor Diamond led the Pledge of Allegiance

AWARDS / PRESENTATIONS/ RECOGNITION OF GUESTS

**Swearing In
Ceremony**

Mayor Elaine Brown administered the oath to Officer Mindy Cardwell and Police Services Officer Kristopher Hall.

APPROVAL OF MINUTES

Moved by Diamond, seconded by Wiley.

Minutes

MOTION: TO APPROVE THE FOLLOWING MINUTES:

August 28, 2018, Special City Council Meeting
September 4, 2018, Special City Council Meeting
September 4, 2018, Regular City Council Meeting
September 17, 2018, Special City Council Meeting
September 17, 2018, Workshop City Council Meeting

Roll Call Vote:

Ayes: 4—Arthur, Diamond, Wiley, Brown
 Noes: 0
 Absent: 1—Jones

MOTION CARRIED**CITY MANAGER REPORT**

City Manager Hyatt reported on the following:

- The Neptune House ribbon cutting event is scheduled for Friday, October 19, 2018, at 5:00 p.m.
- Street paving has been completed for FY 2018.
- The Finance Director and Parking & Mobility Manager positions have been advertised.
- Beach renourishment will begin later this month.

Police Chief Richard Pike thanked Vice Mayor Scott Wiley for attending the Breakfast with a Cop, held on Saturday, September 29, 2018, at Lucky's Market.

The Chief's Walk would be held on Wednesday, October 17, 2018, at 5:00 p.m., in the Bal Harbor Subdivision.

The Halloween Parade in the Beaches Town Center would be held on Saturday, October 20, 2018, at 10:00 a.m.

COMMENTS FROM THE PUBLIC

Public Comment Michael Boone, 305 Sand Castle Way, Neptune Beach, spoke regarding the Summer Sands access via Oakhurst Drive. He proposed opening up the access for a test period to monitor traffic levels.

Mayor Brown asked those in support of opening the access to stand.

Howard McMinn, 1116 Cedar Street, Neptune Beach, stated as Senior Pastor at Beaches Chapel, he has concerns regarding alcoholic beverages in Jarboe Park, which is adjacent to the church. He also spoke regarding food trucks being able to sell their own food.

Robert Cumming, 1721 Lighty Lane, Neptune Beach, spoke regarding residing in an RV on his property while working with the insurance company on their destroyed home.

Leslie Lyne, 501 Hopkins Street, Neptune Beach, spoke regarding the water and sewer work on Margaret Street, the proposed water and sewer tap fees, and the Senior Center plans.

Omar Brown, 2268 Mayport Road, Atlantic Beach, spoke regarding the fees for the Green Market held on Saturdays in Jarboe Park.

City Clerk Announcement City Clerk Catherine Ponson announced that City Council Seat 5 candidate Donald "Beau" Maurer had resigned from the campaign and candidate Fred Jones would be elected to Seat 5 unopposed.

CONSENT AGENDA / NONE**VARIANCES / SPECIAL EXCEPTION / DEVELOPMENT ORDERS / NONE****ORDINANCES**

Ord. No. 2018-05, Food Trucks Ordinance No. 2018-05, Food Trucks, Chapter 17, Article III, Section 17-48, Second Read and Public Hearing: An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 17, Section 17-48, Food Trucks; and Providing an Effective Date.

Mayor Brown opened the public hearing. There being no comments from the public, the public hearing was closed.

Deputy City Manager Amanda Askew confirmed Councilor Arthur's inquiry that food trucks in Jarboe Park and/or city property as listed in subsection (1) would not be restricted to a strictly catered event policy.

Vice Mayor Wiley questioned if there was policy or procedure used to determine the number of trucks at an event.

City Manager Hyatt stated that it would depend on the space available and the event.

Councilor Jones pointed out the wording on subsection (3)a.(4) should be corrected.

Councilor Diamond commented that this ordinance should increase the number of food trucks available during the Green Market.

Mayor Brown stated that this ordinance was being updated as the Green Market had asked for more activities and the City is working with that organization on their lease agreement.

Moved by Diamond, seconded by Arthur.

MOTION: TO ADOPT ORDINANCE NO. 2018-05 ON SECOND READ

Roll Call Vote:

Ayes: 4 – Diamond, Jones, Arthur, Brown

Noes: 1 – Wiley

MOTION CARRIED

Ordinance No.
2018-08, Water
and Sewer Tap
Fees

Ordinance No. 2018-08, Water and Sewer Tap Fees, Article IV, Chapter 23, Sections 23-81 and 23-82, Second Read and Public Hearing: An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 23, Section 23-81, Water and Sewer Tap-Ins and Section 23-82, Surcharges or User Fees on New Connections, and Providing an Effective Date.

Mayor Brown opened the public hearing. There being no comments from the public, the public hearing was closed.

Vice Mayor Wiley commented that there is an area off of Kings Road Bridge that is on septic tank. He added that if this area is ever required to use City connections, there should be some assistance available for those residents to avoid the large increase.

Councilor Diamond remarked that the City of Neptune Beach should monitor what the City of Jacksonville is doing for sewer issues as there may be funding available in the future. He added he would not support the increase.

Mayor Brown added that the City has not updated these fees as necessary and she supports the increase.

Moved by Arthur, seconded by Jones.

MOTION: TO ADOPT ORDINANCE NO. 2018-08 ON SECOND READ

Roll Call Vote:

Ayes: 4 – Jones, Arthur, Wiley, Brown

Noes: 1 – Diamond

MOTION CARRIED

Ordinance No.
2018-09,
Alcoholic
Beverages

Ordinance No. 2018-09: Chapter 4, Alcoholic Beverages, Section 4-5, First Read and Public Hearing. Ordinance of the City of Neptune Beach, Florida Amending Chapter 4, Alcoholic Beverages, Section 4-5, Consumption on Atlantic Ocean Beach, Other Public Places and Providing an Effective Date

Mayor Brown opened the public hearing. There being no comments from the public, the public hearing was closed.

Mr. Hyatt confirmed Councilor Diamond's inquiry that the purpose of this ordinance is to allow alcoholic beverages at the Neptune House located in Jarboe Park.

Vice Mayor Wiley pointed out that the words "Neptune House" are not mentioned in the ordinance.

Mr. Hyatt stated that subsection (b)(2) reads that "any reasonable conditions as deemed necessary by the city manager." He explained that this would be included in any agreement approved by the City Council.

Vice Mayor Wiley stated he had concerns that this did not zero in on what is intended regarding alcoholic beverages in the park.

Councilor Diamond recommended sending the ordinance to the next Land Use and Parks Committee meeting to tighten up the language without delaying the process.

Mayor Brown suggested that the City Attorney could review the ordinance prior to the second reading.

Moved by Diamond, seconded by Arthur.

MOTION: TO ADOPT ORDINANCE NO. 2018-09 ON FIRST READ

Roll Call Vote:

Ayes: 4 – Arthur, Diamond, Jones, Brown

Noes: 1 – Wiley

MOTION CARRIED

Ordinance No.
2018-10,
Backyard Hens

Ordinance No. 2018-10, Chapter 6, Animals, Article V, Backyard Hens Pilot Program, First Read and Public Hearing: An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 6, Animals, Article V, Backyard Hen Pilot Program, Sections 6-40—6-45; Providing for Severability and Providing an Effective Date

Mayor Brown opened the public hearing. There being no comments from the public, the public hearing was closed.

Councilor Arthur stated that he supports adding the word "active" to the 25 permits allowed.

Councilor Diamond questioned the word "active" being added.

Councilor Arthur explained that if someone applied and was approved for the permit but never completed the process, that permit would remain available.

Moved by Diamond, seconded by Jones.

MOTION: TO ADOPT ORDINANCE NO. 2018-10 ON FIRST READ.

Roll Call Vote:

Ayes: 5 – Diamond, Jones, Arthur, Wiley, Brown

Noes: 0

MOTION CARRIED

OLD BUSINESS

FOP Contract
Amendment

FOP Contract Amendment. Mr. Hyatt explained this is a housekeeping amendment and formalizes in the contract that there would be three union stewards and they can use one hour to investigate grievances.

Made by Diamond, seconded by.

MOTION: TO APPROVE FOP CONTRACT AMENDMENT

Made by Diamond, seconded by Wiley.

Roll Call Vote:

Ayes: 5 – Jones, Arthur, Diamond, Wiley, Brown

Noes: 0

NEW BUSINESS / NONE

COUNCIL COMMENTS

Councilor Diamond commented that maybe there could be undue hardship for the citizen whose house was destroyed and has an RV on the property.

Councilor Arthur stated that Oakhurst Drive could be opened at any time. However, the City has listened to the Summer Sands HOA's request to close that access.


Mayor Brown explained that City staff and the Summer Sands HOA would be in contact regarding Oakhurst Drive.

Vice Mayor Wiley suggested researching what was done back when that access was closed. He also agreed with Councilor Diamond regarding the citizen with the RV on the property.

Adjournment

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

ATTEST:


Catherine Ponson, City Clerk

Approved: 11/5/18


Elaine Brown, Mayor

