



MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, JUNE 3, 2019, 6:01 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 Monday, June 3, 2019, at 6:01 p.m. in the City Hall Council Chambers, 116 First Street, Neptune Beach, Florida.

Attendance

IN ATTENDANCE:

Mayor Elaine Brown
Vice Mayor Fred Jones
Councilor Kerry Chin
Councilor Josh Messinger
Councilor Scott Wiley

STAFF:

City Manager Andrew Hyatt
Police Chief Richard Pike
Public Works Director Leon Smith
City Clerk Catherine Ponson

Also present was Zachary Roth, Ansbacher Law Firm.

**Call to
Order/Pledge**

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

AWARDS / PRESENTATION / RECOGNITION OF GUESTS / NONE

APPROVAL OF MINUTES

Made by Wiley, seconded by Messinger.

MOTION:

TO APPROVE THE FOLLOWING MINUTES:

May 6, 2019, Regular City Council Meeting

May 20, 2019, Workshop City Council Meeting

Roll Call Vote:

Ayes: 5—Chin, Messinger, Wiley, Jones, and Brown.
Noes: 0

MOTION CARRIED

CITY MANAGER REPORT

**City Manager
Report**

City Manager Andy Hyatt reported the following:

- Hurricane season is here and be mindful of that.
- His last day is June 7 and he wishes Neptune Beach well.

Interim City
Manager

Mayor Brown stated she had asked Public Works Director Leon Smith to be Interim City Manager to help operate the City on a daily basis.

All of Council agreed and look forward to working with Mr. Smith.

Made by Messinger, seconded by Jones.

MOTION: **TO APPOINT LEON SMITH AS INTERIM CITY MANAGER UNTIL A REPLACEMENT IS APPOINTED**

Roll Call Vote:

Ayes: 5—Messinger, Wiley, Chin, Jones, and Brown.

Noes: 0

MOTION CARRIED

Police
Department
Report

Police Chief Richard Pike reported that Tyler Deel would be graduating from the Police Academy as the first employee hired as a student at the academy. There would be a hurricane roundtable at Casa Marina on Wednesday, June 5, 2019 at 9:00 a.m. There would be an officer assigned east of 3rd Street to First Street and the beach area for bike safety. This would be ongoing this summer.

COMMENTS FROM THE PUBLIC

Public Comment Steve Kowkabany, 102 Magnolia Street, Neptune Beach, thanked Mr. Hyatt for his service. He also thanked the Council. He stated he was not happy with the way things are going in the City and the recent resignation of senior staff.

René Angers, 219 Cherry Street, Neptune Beach, spoke regarding the lease agreement for 301 Atlantic Boulevard and wanted to make sure the amount charged is correct.

Magelda Arnold, 572 Seagate Avenue, Neptune Beach, thanked City Manager Hyatt for his help. She also thanked Leon Smith and Chief Pike.

CONSENT AGENDA / NONE

VARIANCES / SPECIAL EXCEPTION / DEVELOPMENT ORDERS

CDB SE 19-06,
212 Midway

CDB SE19-06 Application for a special exception as outlined in Chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach for Costa Verde Associates, LLC for the property known as 212 Midway (RE#172772-0000). The request is to construct an addition between the single-family dwelling and the existing garage. Property is in the Central Business District.

Made by Messinger, seconded by Jones.

MOTION: **TO APPROVE CDB SPECIAL EXCEPTION 19-06, 212 MIDWAY (RE#12772-0000)**

Roll Call Vote:

Ayes: 5—Wiley, Chin, Messinger, Jones, and Brown

Noes: 0

MOTION CARRIED

ORDINANCES

Ordinance No. 2019-05, Animals (Leash Length) Ordinance No. 2019-05, Chapter 6, Article I, Section 6-1 and Article II, Section 6-31, Second Read and Public Hearing, An Ordinance of the City of Neptune Beach Amending Chapter 6, Article I, Section 6-1, Definitions, and Article II, Section 6-31(b)(1), Dogs on the Beach.

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

Made by Messinger, seconded by Chin.

MOTION: **TO ADOPT ORDINANCE NO. 2019-05 ON SECOND READ**

Roll Call Vote:

Ayes: 5—Chin, Messinger, Wiley, Jones, and Brown
Noes: 0

MOTION CARRIED

Ord. No. 2019-06, Pension Benefits Ordinance No. 2019-06, Chapter 2, Article V, Section 2-348, First Read and Public Hearing, An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 2, Administration, Article V, Employee Benefits, Division 4, Police Officers' Retirement System of the Code Of Ordinances of the City of Neptune Beach; Amending Section 2-348, Finances and Fund Management; Expanding Prudent Investment Mandates; Providing For Codification; Providing for Severability of Provisions; Repealing All Ordinances in Conflict Herewith and Providing an Effective Date

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

Made by Wiley, seconded by Messinger.

MOTION: **TO ADOPT ORDINANCE NO. 2019-06 ON FIRST READ**

Roll Call Vote:

Ayes: 5—Messinger, Wiley, Chin, Jones, and Brown
Noes: 0

MOTION CARRIED

NEW BUSINESS

City Manager Search Process City Manager Search Process. Mayor Brown stated she would be seeking the direction the Council would like to take in this process.

Councilor Wiley stated that he had reviewed the applications and the introductory documents that were received. He added there were a couple he would like to take a second look at. He suggested advertising the position again as it is an important appointment.

Vice Mayor Jones stated he appreciated the comments that the applicants made on their introductory document. He suggested exploring other search options.

Councilor Messinger suggested using a search firm or the Senior Advisors as the Council would be doing the City a disservice by not continuing the search. He suggested using the Senior Advisors.

Councilor Chin remarked that there were a couple that rose to the top, and in his research, he noticed that there was a lot of turnover in City Managers. This could be due to changes in the Council. He supported continuing the search.

Mayor Brown stated that there were a couple of applicants that stood out. She added that the search firm costs ranged from \$16,750 to \$26,500 and would take about 12 weeks. She proposed seeking the help of the Senior Advisors from the League of Cities.

Councilor Wiley stated he would not support using a search firm at this time and utilize the Senior Advisors.

Councilor Messinger stated that if the Senior Advisors are available now, then he supports utilizing their services. If they are not available, then a discussion regarding using a search firm should be had at the next workshop.

Lease
Agreement, 301
Atlantic
Boulevard

Revocable Lease Agreement for Dumpster in the Right-of-Way for 301 Atlantic Boulevard.

Mayor Brown explained that this is for the dumpster in the right-of-way for the restaurant located at 301 Atlantic Boulevard. There is not an amount yet determined for the lease.

City Manager Hyatt explained that there were some numbers discussed. The dumpster would take up two paid parking spaces.

Councilor Wiley questioned if there were other dumpsters being charged and if the previous owner had been charged. He also stated that he wanted to be reasonable and also take into consideration that other businesses are not being charged.

Vice Mayor Jones questioned if there were other dumpsters in spots with parking spaces being charged. He suggested revisiting those other spots. He stated that this is in a prime location. He did propose this is an opportunity for public art and something aesthetically pleasing.

Councilor Messinger stated that he had been given the numbers from Mark Rimmer and Mr. Hyatt per parking space, which is \$300-350. He said he would support going on the lower side of that range of \$600 per month and adding language stating "construct a three-sided masonry dumpster enclosure with high-quality gates to be consistent with building design."

Councilor Chin agreed with going on the lower end of the range if the applicant is willing to work with the City on something that would beautify the area.

Ted Stein, representing the restaurant, stated that he had now heard that the lease amount would be higher than the \$200 first discussed. He stated he is willing to work with the City.

Made by Messinger, seconded by Jones.

MOTION: **APPROVE THE REVOCABLE LEASE WITH THE ROOST RESTAURANTS AT 301 ATLANTIC BOULEVARD FOR \$500.00 PER MONTH, AND ADDING THE LANGUAGE "CONSTRUCT A THREE-SIDED MASONRY DUMPSTER ENCLOSURE WITH HIGH-QUALITY GATES TO BE CONSISTENT WITH BUILDING DESIGN."**

Roll Call Vote:

Ayes: 4—Chin, Messinger, Jones, and Brown
Noes: 1— Wiley

MOTION CARRIED

COUNCIL COMMENTSCouncil
Comments

Councilor Wiley thanked Mr. Hyatt for his service and wished him and his family well.

Vice Mayor Jones also thanked Mr. Hyatt and he had set the wheels in motion and there is a good framework with the staff.

Councilor Messinger wished Mr. Hyatt well and wished him the best in his new endeavor.

Councilor Chin thanked Mr. Hyatt on everything he has done for the City while he was here.

Mayor Brown added that the City owes Mr. Hyatt a debt of gratitude and he has been extremely dedicated and his cooperation has been phenomenal.

Adjournment

There being no further business, the meeting adjourned at 7:07 p.m.


Elaine Brown, Mayor

ATTEST:


Catherine Ponson, City Clerk

Approved: 7/1/19



