



MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, AUGUST 2, 2021, 6:19 P.M.
NEPTUNE BEACH CITY HALL
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266

Pursuant to proper notice, a Regular City Council Meeting of the City Council of the City of Neptune Beach was held on Monday, August 2, 2021, at 6:19 p.m., at Neptune Beach City Hall, 116 First Street, Neptune Beach, Florida 32266.

Attendance:**IN ATTENDANCE:**

Mayor Elaine Brown (*absent*)
 Vice Mayor Fred Jones
 Councilor Kerry Chin
 Councilor Lauren Key (*via CMT*)
 Councilor Josh Messinger

STAFF:

City Manager Stefen Wynn
 City Attorney Zachary Roth
 Police Chief Richard Pike
 Commander Gary Snyder
 Chief Financial Officer Carl LaFleur
 Senior Center Director Leslie Lyne
 Grant and Resiliency Coordinator Colin Moore
 Community Development Director Kristina Wright
 City Clerk Catherine Ponson

**Call to Order/Roll
 Call/Pledge**

Vice Mayor Fred Jones called the meeting to order at 6:17 p.m. and led the Pledge of Allegiance.

AWARDS / PRESENTATIONS/ RECOGNITION OF GUESTS

**Res. No. 2021-12,
 Lance McCauslin
 Bikeway**

Resolution No. 2021-12, A Resolution of the City of Neptune Beach Honoring Lansing "Lance" McCauslin and Declaring a Namesake Bikeway.

Vice Mayor Jones read the resolution declaring First Street from Orange Street to Seagate the "Lance McCauslin Memorial Bikeway."

Mr. McCauslin grew up in Neptune Beach and rode his bicycle daily for over 50 years throughout the Beaches community. He made an effort to find a friend in everyone and went above and beyond to help others in their time of need.

Made by Messinger, seconded by Chin.

MOTION:

**TO ADOPT RESOLUTION NO. 2021-12, HONORING LANSING
 "LANCE" McCAUSLIN AND DECLARING A NAMESAKE
 BIKEWAY**

Roll Call Vote:

Ayes: 4- Messinger, Chin, Key, and Jones.
 Noes: 0

MOTION CARRIED

- Public Comment Rick Sauls, 126 Cedar Street, Neptune Beach, thanked Council for honoring Lance McCauslin.
- NERFC Sean D. Lahav, Resiliency Coordinator, Northeast Florida Regional Council, gave a
Presentation presentation regarding economic resilience. He explained the Northeast Florida COVID-19 Economic Recovery Plan and technical assistance opportunities for local governments.

APPROVAL OF MINUTES

- Minutes Made by Chin, seconded by Messinger.

MOTION: **TO APPROVE THE FOLLOWING MINUTES, AS AMENDED**
July 19, 2021, Special City Council Meeting
July 19, 2021, Workshop City Council Meeting

Roll Call Vote:

Ayes: 4- Chin, Key, Messinger, and Jones.
Noes: 0

MOTION CARRIED**COMMUNICATIONS / CORRESPONDENCE / REPORTS**

- City Manager City Manager Stefen Wynn reported the following:
- Report
- Neptune Beach will celebrate 90 years on August 11, 2021. A celebration is planned for later this year.
 - He gave updates on the Jarboe Park project and Senior Activity Center.
 - He reviewed his upcoming meetings.
 - He announced Neptune Beach would receive ARPA funding.
 - He gave an update on the Public Works Department projects.

Mr. Wynn proposed that the millage rate stay at 3.3656 for FY22, which has been the rate for the last decade. This will be voted on at the first budget hearing on Wednesday, September 8, 2021.

Mr. Wynn explained that Ordinance No. 2021-05, the temporary moratorium for commercial development orders, is a normal planning tool to ensure that new development regulations can be put in place before any new applications come forward for consideration. He wanted to answer any questions that had been asked regarding this moratorium.

Mr. Wynn reported that the City is looking into entering an agreement with Telescopic Health for testing employees at no cost to the employee.

After discussion by Council, it was decided to have the Phase III kickoff of the Vision Plan, which is the LDR update, on a separate day than the September workshop.

All monthly City Manager reports can be found, in their entirety, at:
<https://www.ci.neptune-beach.fl.us/city-manager/pages/city-manager-reports>.

ORDINANCES

Ord. No. 2021-05, Development Permit Moratorium Ordinance No. 2021-05, First Read And Public Hearing. An Ordinance of the City of Neptune Beach, Florida, Enacting a Temporary Moratorium to Prohibit the Acceptance or Processing of Certain Applications for Development Orders or any Other Official Action of the City Having the Effect of Permitting or Allowing for the Issuance of a Development Permit or Related Approval as set forth in Chapter 27, Unified Land Development Regulations, Division 2, Development Review Sections 27-76 through 27-88 in the Central Business District and Commercial C-1 Zoning District; Providing for a Temporary Moratorium Term to be Extended if Necessary by the City Council; Providing for Early Termination; Providing for Conflicts; Providing for Severability; Providing an Effective Date

Public Hearing Vice Mayor Jones opened the public hearing. There being no comments from the public, the public hearing was closed.

Councilor Chin stated that he can understand where people may be leery of so many moratoriums. As the City Manager explained, it makes sense because we are embarking on what could possibly be a substantial rewrite of our Code. That would be unfair to both the developer and the City if we allow things to be built that would suddenly be out of conformity.

Councilor Key questioned when would the moratorium be lifted.

City Attorney Zachary Roth clarified that it is currently drafted to expire in one year so it does not have to be extended if the LDR is not completed on time.

Councilor Key asked if this had been discussed with the Beaches Town Center Merchants Association and if they had provided feedback. She also asked if there had been feedback from businesses with commercial properties in the C-1 zoning district.

Mr. Wynn answered he was not aware of any conversations with the Merchants Association or had any feedback from businesses with commercial properties in the C-1 zoning district. He added that the City had not received any applications and nothing was in the queue for a new development or commercial development.

Councilor Key expressed that she disagrees with this. She stated that this is unfair to business owners while we work on something that is taking longer than expected. She is concerned about the backlog there would be when the moratorium is lifted. She is also curious as to why all of a sudden we decided to propose this when there has been no conversation with the business owners or Merchants Association.

Mr. Wynn stated that the reason that the City has not reached out to the Merchants Association is that they are established businesses within the Central Business District or C-1 zoning district. The intent of this would stop a new business from coming in under the old Code that is being revised.

Councilor Key questioned what if the current business owners were looking to expand their business. We would be restricting people from making their business better.

Councilor Messinger reported he had spoken with the president of the Merchants Association. This does not preclude someone from pulling a building permit and making modifications to their business or renovations or things of that nature. What it does preclude is an entire city block being bought and a new three-story major development coming in. It does not preclude roofing changes or someone wanting to do a build-out.

Councilor Messinger added that Dover, Kohl & Partners presented at the onset of the project that when we got to this point, we would want to put something in place to prevent an entire city block from being redeveloped that does not meet our future Code.

Vice Mayor Jones explained that the Chapter 27 update is the most significant element in the whole planning exercise. We have made an investment this far in the rewrite and we want to make sure we don't get to the finish line and someone comes in and does something that would belong in Mandarin. He added that the LDR update is going to occur more expeditiously and would likely be in place by December, maybe January.

Vice Mayor Jones continued that what we are talking about is the ability to ensure that we get walkable development and we address our pervious surface area to improve our stormwater flooding to make sure that buildings are oriented against the street. The business owners and Beaches Town Center representatives will be at the forefront of the discussions that we have moving forward with the Code and what we want out of our City ends up being in the Code. This is a pro-business planning tool.

Mr. Roth advised that understanding the discussion that has happened and the concern that this would actually have the impact of preventing building permits, he would do a little more adjusting on the language to make it explicit.

Made by Messinger, seconded by Chin.

MOTION: TO ADOPT ORDINANCE NO. 2021-05 ON FIRST READ

Made by Messinger, seconded by Chin.

AMENDED MOTION: TO AMEND THE ORIGINAL MOTION FOR CITY ATTORNEY TO ADD LANGUAGE TO CLARIFY WITH THE INTENT EXPRESSED BY COUNCIL

Amended Motion Roll Call Vote:

Ayes: 4-Key, Messinger, Chin, and Jones.

Noes: 0

AMENDED MOTION CARRIED

Original Motion Roll Call Vote:

Ayes: 3-Messinger, Chin, and Jones.

Noes: 1-Key

ORIGINAL MOTION CARRIED

VARIANCES / SPECIAL EXCEPTIONS / DEVELOPMENT ORDERS / NONE

OLD BUSINESS / NONE

NEW BUSINESS

Res. No. 2021-13
FDOT Lighting
Agreement

Resolution No. 2021-13, A Resolution Allowing the City Manager to Execute and Deliver the State Highway System Lighting, Maintenance and Compensation Agreement to the Florida Department of Transportation (FDOT).

Mr. Wynn explained this is a state highway lighting, maintenance and compensation agreement with FDOT to maintain the streetlights on FDOT roads in the City. This is a new seven-year agreement.

Made by Messinger, seconded by Chin

MOTION: TO ADOPT RESOLUTION NO. 2021-13, AUTHORIZING CITY MANAGER TO EXECUTE THE LIGHTING AGREEMENT WITH FDOT

Roll Call Vote:

Ayes: 4-Chin, Key, Messinger, and Jones.

Noes: 0

MOTION CARRIED

Mutual Aid
Agreement

Approval of Water/Wastewater Mutual Aid Agreement. Mr. Wynn explained that this is a mutual aid agreement for water/wastewater to share resources with other municipalities in the State, similar to what we do with Public Safety. If there is ever a natural or manmade disaster, we can pull upon those resources for assistance.

Made by Chin, seconded by Messinger.

MOTION:

**TO APPROVE THE WATER/WASTEWATER MUTUAL AID
AGREEMENT FOR PUBLIC UTILITY ASSISTANCE**

Roll Call Vote:

Ayes: 4-Key, Messinger, Chin, and Jones..

Noes: 0

MOTION CARRIED

COUNCIL COMMENTS


Mr. Wynn reported that once the date for the Penman Road Study kickoff are confirmed, we will let everyone know.

Adjournment

There being no further business, the meeting adjourned at 7:26 p.m.


Elaine Brown, Mayor

ATTEST:


Catherine Ponson, CMC
City Clerk



Approved: 9-8-2021