

MINUTES
REGULAR CITY COUNCIL MEETING
TUESDAY, JANUARY 3, 2023, 6:00 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 Tuesday, January 3, 2023, at 6:00 p.m., at Neptune Beach City Hall, 116 First Street, Neptune Beach, Florida 32266.

Attendance:**IN ATTENDANCE:**

Mayor Elaine Brown
Vice Mayor Kerry Chin
Councilor Lauren Key (*absent*)
Councilor Nia Livingston
Councilor Josh Messinger (*absent*)

STAFF:

City Manager Stefen Wynn
City Attorney Zachary Roth
Police Chief Richard Pike
Community Development Director Heather Whitmore
Senior Center Director Leslie Lyne
Public Works Director Jim French
Chief Financial Officer Danielle Dyer-Tyler
City Clerk Catherine Ponson

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

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

Proclamation

Presentation of Proclamation. Mayor Brown read and presented a proclamation honoring the retirement of Joseph M. Mitirick, FACHE, from Baptist Medical Center Beaches. He helped grow Baptist Medical Center Beaches into a nationally recognized facility that provides easy access to comprehensive, high-tech medical and surgical care close to home. His efforts can be felt throughout the entire Beaches Community.

APPROVAL OF MINUTES

Minutes

Made by Chin, seconded by Livingston.

MOTION: TO APPROVE THE FOLLOWING:

November 29, 2022, Special City Council Meeting
November 29, 2022, Workshop City Council Meeting
December 5, 2022, Regular City Council Meeting

Roll Call Vote:

Ayes: 3-Livingston, Chin, and Brown
Noes: 0

MOTION CARRIED

**City Manager
Remarks**

Mayor Brown requested City Manager Stefen Wynn give an update on the Neptune Plaza Water Tank issue.

Mr. Wynn reported that the water tank located at the Neptune Plaza is a fire suppression water storage tank for Publix Supermarket's new store at 580 Atlantic Boulevard. His understanding is that Publix required a certain amount of water flow in order to be covered by their insurer. The water storage tank is necessary to achieve their goal. He stated that aside from discussing a color option, his office was just as surprised as neighbors to see the height of the water tank, especially since his office specifically asked the contractor, through the City's former Community Development Director, for a drawing that included the elevation of the tank back in June. The City is currently analyzing the facts to see if the submissions received by Publix, comply with the Building Code. The City has met with the third party building official to establish a timeline for permit application to construction. The City is reviewing the submissions received for the water storage tank.

Mr. Wynn continued that the City began communicating with neighbors and residents on December 12 about the water tank. The last communication he had with some residents on an email thread was on December 21, which included a next steps action plan. That plan includes meeting with neighbors of the Neptune by the Sea HOA, discuss the issue, and facilitate a meeting with the property owners and neighbors to discuss a solution to mitigate the appearance of the tank.

PUBLIC COMMENTS**Public Comments**

Susan Cicchino, 629 Cherry Street, Neptune Beach, stated her name may be recognized as the author of the email from December 9, titled "Big Green Monster" that is in her backyard. She added that a massive industrial water tank had been installed for a fire suppression system erected behind the new Publix less than 15 yards from her back door. She stated that it appears this has been in discussion since June, 2021. She questioned why this was not brought before Council, the Community Development Board, and the residents of Neptune Beach. She expressed that their quality of life has been negatively impacted. She respectfully asks that the Council take into consideration some of the concerns of the neighbors.

Nancy Vannoy, 625 Cherry Street, Neptune Beach, stated she is directly impacted by the water tank and pump house. She said that the water tank was installed in one day. She can't believe this has happened in our community. She added that she was told to ask the City Manager. She reported that he said he didn't know anything about the water tank and he has just now said he had talks about it in August. There are inconsistencies and citizens need to be involved.

Rob Vannoy, 625 Cherry Street, Neptune Beach, stated he feels the same way as his wife, who just spoke. He also added that Mr. Wynn obviously knew about the tank as he has been talking about it for over a year. Mr. Vannoy's wife asked him about it two weeks ago and Mr. Wynn told Mr. Vannoy's wife he knew nothing about it. If he lies to his boss, he does not have a job. Mr. Wynn is not taking into consideration what is good for Neptune Beach and residents.

John Cicchino, 629 Cherry Street, Neptune Beach, spoke regarding the continued development at the 580 Atlantic Boulevard site. He requested the homeowners be consulted as key stakeholders in any mitigation discussions.

Pat Hazouri, 207 Florida Boulevard, Neptune Beach, stated all of the failed problems of the City should not fall on the City Manager. She spoke regarding trust and the future of the City.

Chuck McCue, 1908 3rd Street, Neptune Beach, stated that the biggest problem is communications. He added that Council had to have known there was a tank.

COMMUNICATIONS / CORRESPONDENCE / REPORTS / NONEVARIANCES / SPECIAL EXCEPTIONS / DEVELOPMENT ORDERS / NONEOLD BUSINESS / NONEORDINANCES / NONEOLD BUSINESS / NONENEW BUSINESS

Supp. Agreement
No. 3, Dewberry

Supplemental Agreement No. 3 with Dewberry | Hydro for MS4 Compliance and Annual Reporting Services. Public Works Director Jim French explained this is a supplemental agreement, for an amount not-to-exceed \$20,000, with Dewberry Hydro similar to the one done last year. This is to provide assistance with preparing the City's Municipal Separate Storm Sewer (MS4) permit, which is due to the Florida Department of Environmental Protection (FDEP) by March 31.

Vice Mayor Chin asked if this would be able to be done in-house in the following year.

Mr. French stated that if the City plans on hiring a City Engineer and this would be one of the items that this position could be trained on. It would depend on the timing.

Councilor Livingston questioned if the price was consistent with last year's cost.

Mr. French answered that the cost last year was \$19,000 and this supplemental agreement has been included in the budget.

Made by Chin, seconded by Livingston.

MOTION: **TO APPROVE SUPPLEMENTAL AGREEMENT NO. 3 WITH DEWBERRY
HYDRO FOR MS4 COMPLIANCE AND ANNUAL REPORTING SERVICES**

Roll Call Vote:

Ayes: 3-Livingston, Chin, and Brown

Noes: 0

MOTION CARRIED

Tyler Technologies
Change Order

Tyler Technologies ERP Implementation Change Order and Restart Proposal. Chief Financial Officer Danielle Dyer-Tyler explained that this is the project restart for the Tyler Technologies ERP (Enterprise Resource Planning) System implementation. The project was placed on hold in October 2021. This change order outlines the 133 service hours that will be required to restart the implementation. There is also a Project Management Restart Proposal with a fixed fee to be charged on time for \$5,000.

Ms. Dyer-Tyler reported that we have a timeframe of implementation up until March. We should be running Tyler fully. This needs to be processes to stay within the provided timelines.

Vice Mayor Chin asked Ms. Dyer-Tyler to explain what are the benefits of the Tyler ERP System.

Ms. Dyer-Tyler explained that the system would allow all of our revenue to streamline into one system. It would also allow us to start project accounting and it ties directly to Public Works for our infrastructure needs. It will provide timely financial reports and will hold all of the information rather than working in multiple systems.

Made by Chin, seconded by Livingston

MOTION: **TO APPROVE TYLER TECHNOLOGIES ERP IMPLEMENTATION CHANGE ORDER AND RESTART PROPOSAL**

Roll Call Vote:

Ayes: 3-Livingston, Chin, and Brown

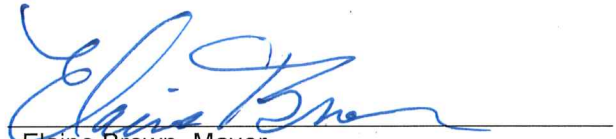
Noes: 0

MOTION CARRIED

COUNCIL COMMENTS / NONE

Adjournment

There being no further business, the meeting adjourned at 6:38 p.m.


Elaine Brown, Mayor

ATTEST:


Catherine Ponson, CMC
City Clerk

Approved: 02/06/2023

