



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**MONDAY, DECEMBER 2, 2019, 6:00 P.M.**  
**NEPTUNE BEACH 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 on Monday, December 2, 2019, at 6:00 p.m. in the Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida

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**Attendance:****IN ATTENDANCE:**

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

**STAFF:**

Interim City Manager Leon Smith  
City Attorney Zachary Roth  
Police Chief Richard Pike  
Community Development Director Kristina Wright  
Grant and Resiliency Coordinator Colin Moore  
City Clerk Catherine Ponson

**Call to Order**

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

**AWARDS / PRESENTATION / RECOGNITION OF GUESTS**

**Swearing In Ceremony**

Police Chief Richard Pike introduced Officer Christian Griffin and Mayor Elaine Brown administered the Oath of Office.

**Res. No. 2019-14, DONNA Run**

Mayor Brown introduced Amanda Napolitano, Executive Director of The DONNA Foundation. She gave an update on the event and the impact the DONNA Foundation has had on the area.

Mayor Brown requested the resolution authorizing the event be moved to this portion of the agenda.

Made by Jones, seconded by Messinger.

**MOTION:**

**TO ADOPT RESOLUTION NO. 2019-14, AUTHORIZING THE DONNA MARATHON WEEKEND TO BE HELD ON FEBRUARY 7-9, 2020**

**Roll Call Vote:**

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

**MOTION CARRIED**

**APPROVAL OF MINUTES**

Minutes

Made by Wiley, seconded by Chin.

**MOTION: TO APPROVE THE FOLLOWING MINUTES:****November 4, 2019, Regular City Council Meeting****November 18, 2019, Special City Council Meeting****November 18, 2019, Workshop City Council Meeting**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED****COMMUNICATIONS AND CORRESPONDENCE****CITY MANAGER REPORT**City Manager  
Report

Interim City Manager Smith reported the following:

- Christmas in the Park would be at 6:00 p.m. on Friday, December 6, 2019, in Jarboe Park.

Police Chief  
Report

Police Chief Richard Pike reported the following:

- DONNA Run meetings are continuing for preparation for that event.
- The Annual Santa Ride through Neptune Beach would be on Saturday, December 21, 2019.
- The Pete's Bar Thanksgiving Day Event had a record crowd and there were no incidents.

City Attorney  
Report

City Attorney Zachary Roth advised the Council on upcoming legislative bills that would have an impact on the area.

**PUBLIC COMMENTS / NONE****CONSENT AGENDA / NONE****VARIANCES / SPECIAL EXCEPTION / DEVELOPMENT ORDERS**CDB 19-11,  
Development  
Permit, 1848 Kings  
Circle South

CDB 19-11, Application for Development Permit review as outlined in Chapter 27, Article 2 of the Unified Land Development Code of Neptune Beach for Brewhound Coffee Bar Company for the property known as 1848 Kings Circle South (RE#173290-0000). This property is in the C-2 Zoning District. The applicant is proposing to build an 8' by 8' accessory structure to serve as a kiosk for customer check-in and reception

Jason Underwood, 2338 Eagles Nest Road, Jacksonville, owner and applicant, confirmed Councilor Chin's inquiry that the proposed structure would replace the temporary structure currently in place. He also confirmed Councilor Messinger's question that the new structure would incorporate the same design and aesthetic of the main facility.

Mr. Underwood responded to Councilor Wiley's question that the structure would be used for customers to check-in.

Made by Messinger, seconded by Wiley.

**MOTION:**

**TO APPROVE CDB 19-11, DEVELOPMENT PERMIT FOR 1848  
KINGS CIRCLE SOUTH**

**Roll Call Vote:**

**Ayes:** 5-Wiley, Chin, Messinger, Jones, and Brown

Noes: 0

**MOTION CARRIED**

**CDB 19-12,  
Application for  
Replat, 324  
Myrtle Street**

**CDB 19-12. Application for Replat as outlined in Chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach for 324 Myrtle Street, LLC. The property is currently known as 324 Myrtle Street, (RE# 172976-0000). The subject property is located on the northeast corner of Third and Myrtle Streets. The applicants are requesting to demolish the existing duplex and subdivide the property into two conforming lots that will front on Myrtle Street**

Councilor Messinger stated that the property is already plotted as two plots and is the reorientation of those lots to face Myrtle Street. This will make for a better quality of life and he does not have an issue with what has been presented.

**Made by Messinger, seconded by Jones.**

**MOTION:**

**TO APPROVE CDB 19-12, REPLAT FOR 324 MYRTLE STREET**

**Roll Call Vote:**

**Ayes:** 5-Chin, Messinger, Wiley, Jones, and Brown

Noes: 0

**MOTION CARRIED**

## ORDINANCES

**Ord. No. 2019-10,  
R-4 Zoning  
District Lot Split  
Moratorium.**

**Ordinance No. 2019-10, Chapter 27, Article III, Division 3, Sections 27-101-27-102; Division 4, Sections 27-105-27-109 and Sections 27-110, Second Reading 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 a Development Order or Any Other Official Action of the City Having the Effect of Permitting or Allowing for the Application of a Plat or Replat in the R-4 Zoning District as set forth in Chapter 27, Unified Land Development Regulations, Division 3, Sections 27-101 through 27-102, Platting Requirements Chapter 27, Unified Land Development Regulations, Division 4 Section 27-105 through 27-109, Minor Replat Requirements, and 27-110 Temporary Moratorium; 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 Comment

**Mayor Brown opened the public hearing.**

Jonathan Raiti, 224 Bowles Street, Neptune Beach, spoke in support of the temporary moratorium. He added this will help improve the resiliency of his neighborhood and community.

**There being no further comments from the public, the public hearing was closed.**

Council  
Discussion

Vice Mayor Jones stated that in light of the upcoming land development regulation update, this will be addressed in that process.

Councilor Chin commented that his concerns have to do with resiliency and being able to address the threat of sea level rise. He added that with Code rewrite maybe there will be options or scenarios where there will be greater flexibility to develop lots and still meet the regulations that will help our City.

Councilor Messinger remarked that we have an opportunity to address tree canopy, character of the community, and resiliency while still encouraging development in Neptune Beach. With the Dover, Kohl project moving forward quickly, this is appropriate to protect our community's unique character.

Mr. Roth advised the Council there was a correction since the first reading. There was a scrivener's error in the title and it should now read "certain" applications instead of "any" applications.

Made by Messinger, seconded by Jones.

**MOTION:**                    **TO ADOPT ORDINANCE NO. 2019-10, R-4 ZONING DISTRICT LOT SPLIT MORATORIUM ON SECOND READ**

Roll Call Vote:

Ayes:                    4-Messinger, Chin, Jones, and Brown

Noes:                    1-Wiley

**MOTION CARRIED**

Ord. No. 2019-11,  
Nuisance Lighting

Ordinance No. 2019-11, Chapter 28, Nuisances, Article III, Sections 28-11-28-15, Second Reading and Public Hearing, An Ordinance of the City Of Neptune Beach, Florida, Amending Chapter 28, Nuisances, Amending Article III, Nuisance Lighting, Sections 28-11-28-15; and Providing an Effective Date.

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

Councilor Wiley commented that the ordinance is still vague and needs more work.

Made by Messinger, seconded by Chin.

**MOTION:**                    **TO ADOPT ORDINANCE NO. 2019-11, NUISANCE LIGHTING, ON SECOND READ**

Roll Call Vote:

Ayes:                    4-Chin, Messinger, Jones, and Brown

Noes:                    1-Wiley

**MOTION CARRIED**

Ord. No. 2019-12,  
Code  
Enforcement  
Board

Ordinance No. 2019-12, Chapter 2, Administration, Article VII, Division 2, Section 2-440, Second Reading and Public Hearing, An Ordinance of the City of Neptune Beach, Florida Amending Chapter 2, Administration, Amending Article VII, Boards and Commissions, Division 2, Code Enforcement Board, Section 2-440; 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 Messinger, seconded by Jones.

**MOTION:** **TO ADOPT ORDINANCE NO. 2019-12, CODE ENFORCEMENT, ON SECOND READ**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

**OLD BUSINESS / NONE**

**NEW BUSINESS**

Res. No. 2019-13, Resolution No. 2019-13, A Resolution Expressing Approval and Support for the Support of USBR-1 Development of United States Bike Route 1 (USBR 1).

Made by Messinger, seconded by Jones.

**MOTION:** **TO ADOPT RESOLUTION NO. 2019-13, SUPPORTING THE UNITED STATES BIKE ROUTE 1 (USBR 1)**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**

**COUNCIL COMMENTS**

Mayor Brown requested the Council take the rest of December off from a formal meeting unless needed.

Councilor Chin reminded everyone that there is an exhibition at the Beaches Museum featuring the history of Neptune Beach. He commended the Historical Society for their efforts.

Councilor Messinger commended Interim City Manager Smith and staff for protecting the landscaping and removal of trash during the Pete's Bar Thanksgiving Day Event.

Adjournment

There being no further business, the meeting adjourned at 6:33 p.m.

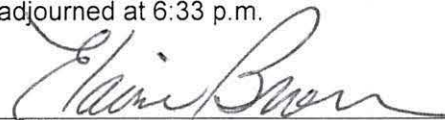
Attest:



Catherine Ponson, City Clerk

Approved:

1/6/20



Elaine Brown, Mayor

