MINUTES
SPECIAL CITY COUNCIL MEETING
TUESDAY, NOVEMBER 29, 2022, 6:00 P.M.
NEPTUNE BEACH CITY HALL
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266

Pursuant to proper notice, a Special City Council Meeting of the City Council of the City of Neptune Beach was held on Tuesday, November 29, 2022, 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
Councilor Nia Livingston
Councilor Josh Messinger *(via CMT)*

STAFF:
City Manager Stefen Wynn
City Attorney Zachary Roth
Police Chief Richard Pike
Chief Financial Officer Danielle Dyer-Tyler
Code Compliance Supervisor Piper Turner
City Clerk Catherine Ponson

Call to Order/Roll Call/Pledge

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

Smart North Florida

Smart North Florida Quarterly Installments. Clayton Levins, Executive Director, Smart North Florida, reported that they have worked with the City in the deployment of specific technologies throughout the City, including Roadbotics and StormSensor. The City has signed a Memorandum of Understanding creating a Resiliency Lab focused on deploying resiliency-focused technologies to solve critical community problem statements in the City. He added that they have also partnered with UF and through the Flowbird parking app, parking data has been analyzed to show things such as peak parking times.

Mr. Levin advised that through the MOU, Smart North Florida would continue its work in expanding the Resiliency Lab in improving and identifying innovative solutions that could be applied to the parking program.

Made by Chin, seconded by Key.

MOTION: **TO APPROVE THE QUARTERLY INSTALLMENTS TO SMART NORTH FLORIDA**

Roll Call Vote:
Ayes: 5-Key, Livingston, Messinger, Chin, and Brown
Noes: 0

MOTION CARRIED

Neptune House Lift Station

Neptune House Lift Station. City Manager Stefen Wynn explained that the existing lift station at Neptune House is inadequate and is unable to handle the current volume. This is a proposal to upgrade the lift station.

Made by Chin, seconded by Livingston.

MOTION: TO APPROVE THE NEPTUNE HOUSE LIFT STATION REPLACEMENT

Roll Call Vote:
Ayes: 5-Livingston, Messinger, Key, Chin, and Brown
Noes: 0

MOTION CARRIED

Res. No. 2022-09, Employee Handbook

Resolution No. 2022-09, A Resolution of the City of Neptune Beach Amending the Employee Handbook.

Made by Livingston, seconded by Key.

MOTION: TO ADOPT RESOLUTION NO. 2022-09, AMENDING THE NEPTUNE BEACH EMPLOYEE HANDBOOK

Roll Call Vote:
Ayes: 5-Messinger, Key, Livingston, Chin, and Brown
Noes: 0

MOTION CARRIED

CONB Bid 2022-03,Senior Center

CONB Bid No. 2022-03, Senior Center Porch and Exterior Finishes. Mr. Wynn stated that this is a culmination of the rebid of CONB 2022-03. There was one bid received in the amount of $366,869.14 from Mesic Construction, that is for the exterior porch and does not include the landscape or hardscape.

Mr. Wynn reported the first Invitation to Bid went out in August 2022 after a design was received from Marquis Latimer + Halback(MLH) based on community feedback. That resulted in bids that did not match up with each other, and some prices came in at over $300,000. It was then put out using a formal bid process in September, 2022. One nonconforming bid was received. The rebid was then issued and this is what is before Council.

Vice Mayor Chin stated that he reviewed the summary from Mesic Construction. Based on the little research he did, their profit is within the average expected range.

Councilor Key commented that she had still not received information she requested including what's left to finish the Senior Center, how much it is going to cost and how it is going to be funded. Her heartache is that she wants the Senior Center to open, and we have invested time and money. There have been promises to the neighbors and meetings about what it will look like. There is still not a grasp on how much it will cost.

Councilor Livingston remarked that we are at a point where we need to get the Senior Center back open but she has lingering questions, such as can we some of the work in-house. She would like to also know what would come after this since this does not include landscaping.

Councilor Messinger stated that based on MLH's estimates, we are looking at another $165,000 to complete the project in its entirety. He added that it is important to plan things out properly. It is important to do what is right not only for the Senior Center, but for that neighborhood. We need to complete it in its entirety so it is something of value for the Seniors and the neighborhood.

Councilor Messinger commented that at the beginning, it was expressed that if the City fronts the funding, the Senior Center would chase down the dollars and make this effectively a tax-neutral project. He leans towards completing the project, including the parking and landscaping, as designed based on neighborhood and community feedback. The Senior Center would continue to raise dollars and pay back into the funds where those dollars are taken from, in effect, an interest-free loan to the Senior Center.

Mayor Brown remarked she would like to see an ADA-approved entrance and small porch installed so we can open as soon we can in January, 2023. We could go into the new year putting out bids again. The submitted bid is high no matter where the money comes from.

Councilor Messinger stated that he would like to see an entire package approved so we can open the Senior Center that the neighborhood and Community can be proud of. The entire package could be a "not to exceed" price based on MLH estimates. We could tie all contributed funds to the Senior Center that could be repaid in an eight-year period. It would be a tax-neutral project where we are effectively funding the money to the Senior Center.

Mr. Wynn answered Mayor Brown's request that in addition to the bid we currently have, we would need an estimated probable cost of $195,000 for a total of $561,869.14. This would include the parking and landscaping.

City Attorney Zach Roth advised these should be considered separately. There is a bid before Council that should be accepted or rejected. The question of then how you pay for the difference is discretionary. There is legal authority to place the imposition on the Senior Center to repay funds.

Councilor Key restated that she has asked multiple times for a final budget for the Senior Center and the exact cost. It has not been provided to her what it would take to get it over the finish line. This is the very last time she is going to make this request.

Vice Mayor Chin commented that we could set a not to exceed amount and that is going to be the final number. We could also be optimistic and there could be possible cost-cutting in 2023. He suggested reaching out to the Duval Tree Mitigation fund for trees. He also commented that his concern is losing the funding if we don't find a way to use the money for shovel-ready project. He agrees with fronting the money and asking the Senior Center to repay over whatever time period is set. He is amenable to moving forward with the bid based on these considerations.

Councilor Livingston asked how would the repayment of the funds work if we make it as a loan.

Mr. Roth advised that he does not picture it as a formal loan in the sense that there would be a promissory note. He looks at it as more of a budgeting mechanism with expectations set for staff by Council.

Councilor Livingston asked if we could defer voting on the bid or does it need to be voted on tonight based on the nature of the formal bid. She feels uncomfortable approving the bid with the cap being at the discussed amount and Senior Center Director Leslie Lyne is not present.

Mayor Brown remarked that she is hearing two options. One is to approve the bid with the cap at the discussed amount to be paid back over a period of time or defer until the December 5 meeting when Ms. Lyne can be present.

Councilor Key stated that the most palatable thing at this point and what makes the most sense is to make this a good product. The final position in checking all of the boxes is to loan the Senior Center the funds and the Senior Center pay it back.

Mr. Roth clarified that the bid package states the deadline would be 61 days after bid opening so the date could be January 16, 2023 for a decision.

Councilor Key expressed that she is ready to move forward with the repayment plan. If we don't do this now, then where is the money coming from.

Councilor Messinger agreed with Councilor Key.

Councilor Livingston stated that since we don't have to approve this tonight, she would like to include Ms. Lyne in the conversation.

Mayor Brown also stated she would also like to have Ms. Lyne present.

Made by Livingston, seconded by Key.

MOTION: TO DEFER ITEMS # 6 AND # 7 UNTIL DECEMBER 5, 2022

Roll Call Vote:
Ayes: 5-Key, Livingston, Messinger, Chin, and Brown
Noes: 0

MOTION CARRIED

Adjournment

There being no further business, the Special Meeting adjourned at 7:28 p.m.

Elaine Brown, Mayor

ATTEST:

Catherine Ponson, CMC
City Clerk

Approved: 1-3-2023

CITY OF NEPTUNE BEACH 1931 FLORIDA

MINUTES
WORKSHOP CITY COUNCIL MEETING
IMMEDIATELY FOLLOWING THE SPECIAL MEETING
TUESDAY, NOVEMBER 29, 2022, 7:28 P.M.
NEPTUNE BEACH CITY HALL
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266

Pursuant to proper notice, a Workshop City Council Meeting of the City Council of the City of Neptune Beach was held on Tuesday, November 29, 2022, at 7:28 p.m., in Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida, 32266

Attendance

IN ATTENDANCE:
Mayor Elaine Brown
Vice Mayor Kerry Chin
Councilor Lauren Key
Councilor Nia Livingston
Councilor Josh Messinger (via CMT)

STAFF:
City Manager Stefen Wynn
City Attorney Zachary Roth
Police Chief Richard Pike
Chief Financial Officer Danielle Dyer-Tyler
Code Compliance Supervisor Piper Turner
City Clerk Catherine Ponson

Call to Order/Roll Call

Mayor Brown called the workshop meeting to order at 7:28 p.m.

DEPARTMENTAL SCORE CARD / CITY MANAGER REPORT

Dept. Score Card/City Manager Report

City Manager Stefen Wynn presented the Departmental Score Card.

The Departmental Score Cards and City Manager Reports are posted on the City website at: https://www.ci.neptune-beach.fl.us/city-manager/pages/city-manager-reportsdepartmental-score-cards.

COMMITTEE REPORTS

Transportation & Infrastructure Planning

Mayor Brown reported that the TIP committee met on November 17, 2022, and discussed priority projects and funding. The next meeting would be December 15, 2022.

PUBLIC COMMENTS

Public Comment

Mark Waddell, 617 Oak Street, Neptune Beach, spoke regarding accepting one bid and how a repayment plan would work for the Senior Center.

Shellie Thole, 124 Margaret Street, Neptune Beach, spoke regarding the Senior Center project and the selling of city-owned property.

PROPOSED ORDINANCES

Amending Section 2-28, Agenda

Proposed Ordinance, An Ordinance of the City of Neptune Beach, Florida, Amending Section 2-28, Agenda, Providing for Conflicts, Providing for Severability, and Providing an Effective Date.

City Attorney Zachary Roth explained that this is an adjustment to the provision regarding what goes into the agenda for Council. It would require that any time Council is asked to spend money, financial backup would be required.

Councilor Key stated that she put this piece of legislation forward so we do not end up in a situation like the Senior Center. If we are going to bring something before Council, she wants a process and procedure that is followed. She gets frustrated when things are piecemealed and there is no final product. It is important that when things are brought forth from any department, there is a proper documentation and a plan.

Chief Financial Officer Danielle Dyer-Tyler questioned if the expense directly starts with Council, who would be responsible for explaining that information.

Mr. Roth stated that it would be whoever has that information, the expectation would be that person would provide that to the Clerk or City Manager. Councilor Key added staff could be asked to provide the information.

CONSENSUS: TO MOVE FORWARD FOR FIRST READ ON DECEMBER 5, 2022

CONTRACTS AND AGREEMENTS / NONE

ISSUE DEVELOPMENT

Right-of-Way Purchase

Discussion of Right-of-Way Purchase. Mr. Wynn stated that this "weird alley" is off of Marsh Point Road. Jean Bakkes has requested to purchase a portion of City right-of-way. Mr. Bakkes has been approved to build an office building adjacent to the alley. He added that this is being presented for consideration.

Councilor Key requested to see on a Google Earth image of where the property is to get a better idea physically where it is. She added that there has not been a recommendation to sell or not sell it but it is within Council's legal authority to do so.

Mr. Roth advised that this property was dedicated in the plat of the area before Neptune Beach was a city. The City does not own any of the surrounding lots.

Roman Otmahab, representative of Mr. Bakkes, Sky Enterprises, stated the 8,000 square-foot building that had been approved would begin construction in 2023. It will house five business and a coffee shop. The alley would become more of meeting place with tables and a seating area.

Discussion ensued including setting a precedent and leasing the property rather than selling.

Mayor Brown advised Mr. Otmahab that Council would like to see the property improved. The City would look into long-term leasing. Council requested more information and would see if it complies with the Zoning Regulations.

License Agreement- 2050 Kings Circle South

Discussion of Amended and Restated Revocable License Agreement – 2050 Kings Circle South. Mr. Wynn explained that Tom Monahan has a current agreement that was signed in 2018. He stated that before Council tonight is an agreement for three additional spaces so he can meet the parking requirements. A cost of $275 per space per month has been added based on preliminary negotiations.

Councilor Key requested that language adding an automatic annual cost increase be built into any lease agreement moving forward.

Mr. Roth advised that since this is a workshop, he could add the language before the final vote.

PUBLIC COMMENT

Public Comment

Shellie Thole, 124 Margaret Street, Neptune Beach, thanked Council for adding public comment

Nicole de Venoge, 617 Oak Street, Neptune Beach, spoke regarding permeability and density in the Marsh Point Road area.

Mark Waddell, 617 Oak Street, Neptune Beach, spoke regarding selling of City property and the current zoning of the property.

Adjournment

There being no further business, the Workshop meeting adjourned at 8:28 p.m.

Elaine Brown, Mayor

ATTEST:

Catherine Ponson, CMC
City Clerk

Approved: 1-3-2023

CITY OF NEPTUNE BEACH * 1931 * FLORIDA