



MINUTES
SPECIAL CITY COUNCIL MEETING
MONDAY, SEPTEMBER 18, 2023, 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 Monday, September 18, 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
Councilor Nia Livingston
Councilor Josh Messinger

STAFF:

City Manager Richard Pike
City Attorney Zachary Roth
Public Works Director Deryle Calhoun
Chief Financial Officer Jaime Hernandez
Parks and Sustainability Director Colin Moore
Police Chief Michael Key
Community Development Director Heather Whitmore
City Clerk Catherine Ponson

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

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

**Ord. No. 2023-
07, Millage
Rate**

Ordinance No. 2023-07, Adopting Final Millage Rate, Second Read And Public Hearing. An Ordinance of the City of Neptune Beach, Florida, Adopting a Final Millage Rate and Levying Ad Valorem Taxes for the Fiscal Year Beginning October 1, 2023, and ending September 30, 2024; Setting Forth Certain Information Regarding "Rolled-Back Rate"; Directing the City Manager to Adjust the Adopted Millage Rate in the Event of Changes in the Assessment Roll and Taxable Value; and Providing an Effective Date.

TRIM Notice

Mayor Brown read into the record the Truth in Millage (TRIM) notice.

"This is the millage public hearing for the City of Neptune Beach, Florida. The "Rolled-back" rate for the City of Neptune Beach is 3.0747 mills. The rate to be adopted reflects a 10% increase over the "Rolled-back" rate. The rate that is to be levied in this ordinance by the City Council is 3.3821."

City Attorney Zachary Roth explained that earlier in July, Council approved the maximum rate for the TRIM notices that were mailed. It was not adopting a rate or binding. The statute then governs what a municipality can and cannot do based on the vote. The rolled back rate is a percentage off of last year's rate that is calculated based on various economic factors. This year's rolled back rate is 3.0747. At the September 5, 2023, meeting, the most that the millage rate could be is 10% of that rolled back rate based on Florida Statutes requiring two-thirds vote of the governing body.

Mr. Roth pointed out the difference between the current millage rate, 3.3656, and the tentative rate, 3.3821, is 0.0165.

Vice Mayor Chin clarified the difference in the increase based on a house's net assessed value. For a \$300,000 house, it would be an increase of \$4.13. For a \$500,000 house, the increase would be \$7.42 and a \$700,000 house, the increase would be \$11.55.

Mr. Roth added that there are other taxing authorities, such as Duval County Schools, City of Jacksonville and the St. John River Water Management District. A property tax bill may go up due to those other taxing authorities.

Public Hearing Mayor Brown opened the public hearing.

Nicole De Venoge, 617 Oak Street, Neptune Beach, spoke regarding the use of taxpayer dollars and infrastructure services should take priority. She is concerned with the amount of dollars City of Jacksonville is taking.

Mark Waddell, 617 Oak Street, Neptune Beach, stated he does not feel information is easy to find out, such as what projects are being done. He added he has to fish through the website to find information.

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

Made by Chin, seconded by Livingston.

MOTION: **TO APPROVE ORDINANCE NO. 2023-07, ADOPTING A FINAL MILLAGE RATE OF 3.3821**

Roll Call Vote:

Ayes: 3-Livingston, Chin, and Brown

Noes: 2-Key and Messinger

City Attorney Zachary Roth advised a vote for more than the rolled back requires a two-thirds vote.

MOTION FAILED

Made by Messinger, seconded by Key.

MOTION: **TO APPROVE ORDINANCE NO. 2023-07, ADOPTING A FINAL MILLAGE RATE OF 3.3656**

Roll Call Vote:

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

Noes: 1-Livingston

MOTION CARRIED

Ord. No. 2023-08, FY23-24 Budget Ordinance No. 2023-08, Adopting A Final Budget, Second Read And Public Hearing. An Ordinance of the City of Neptune Beach, Florida, Adopting a Final Budget and Appropriating Funds for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024; and Providing an Effective Date

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

Councilor Messinger commented that the amount of money being discussed is approximately \$20,000.00. This is the amount the budget would need to be adjusted.

Made by Key, seconded by Messinger.

MOTION: **TO APPROVE ORDINANCE NO. 2023-08, ADOPTING THE FY2023-2024 BUDGET BASED ON THE CURRENT MILLAGE RATE OF 3.3656**

Roll Call Vote:

Ayes: 5-Messinger, Key, Livingston, Chin, and Brown

Noes: 0

MOTION CARRIED

Ord. No. 2023-09, LDC Revisions Ordinance No. 2023-09, Second Read and Public Hearing. An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 27, Unified Land Development Regulations, Article IV, Land Use, Table 27-239; and Section 27-241; Article V, Accessory Structures and Uses, Section 27-332, and Adding Sections 27-335 and 27-336.

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

Made by Messinger, seconded by Livingston.

MOTION: **TO APPROVE ORDINANCE NO. 2023-09, AMENDING CHAPTER 27, UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE IV, LAND USE, TABLE 27-239; AND SECTION 27-241; ARTICLE V, ACCESSORY STRUCTURES AND USES, SECTION 27-332, AND ADDING SECTIONS 27-335 AND 27-336**

Roll Call Vote:

Ayes: 5-Key, Livingston, Messinger, Chin, and Brown

Noes: 0

MOTION CARRIED

Res. No. 2023-11, Civil Service Board Resolution No. 2023-11, Civil Service Board. Mayor Brown stated that this is to appoint members to the Civil Service Board that had been inactive.

Made by Messinger, seconded by Chin.

MOTION: **TO ADOPT RESOLUTION NO. 2023-11, APPOINTING MEMBERS TO THE CIVIL SERVICE BOARD**

Roll Call Vote:

Ayes: 5- Livingston, Messinger, Key, Chin, and Brown

Noes: 0

Adjournment There being no further business, the Special Meeting adjourned at 6:24 p.m.


Elaine Brown, Mayor



MINUTES
WORKSHOP CITY COUNCIL MEETING
IMMEDIATELY FOLLOWING THE SPECIAL MEETING
MONDAY, SEPTEMBER 18, 2023, 6:24 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 Monday, September 18, 2023, at 6:24 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

STAFF:

City Attorney Zachary Roth
 City Manager Richard Pike
 Chief Financial Officer Jaime Hernandez
 Public Works Director Deryle Calhoun
 Parks and Sustainability Director Colin Moore
 Police Chief Michael Key
 Community Development Director Heather Whitmore
 City Clerk Catherine Ponson

**Call to
Order/Roll Call**

Mayor Brown called the workshop meeting to order at 6:24 p.m.

AWARDS/PRESENTATIONS/RECOGNITION OF GUESTS

**Neptune Trident
Award**

Mayor Brown presented the Neptune Trident Award to Charlie and Rebecca Miller. The Neptune Trident Award is an award to honor residents that have contributed to improving the quality of life of the community.

Proclamation

Mayor Brown read and presented a proclamation to the Jacksonville Beaches Woman's Club and recognized September 30, 2023, as a National Day of Service, to address food insecurity. They will be participating with the BEAM Food Pantry on this food drive.

COMMITTEE REPORTS / NONE

PUBLIC COMMENTS

Public Comments

Penny Kennedy, 2010 Acacia Road, Neptune Beach, stated she could not find the budget on the website. She requested it be placed where it could be found. She added she did not know the Senior Center had the porch added. She also asked for the cost.

ISSUE DEVELOPMENT**Special
Assessment
Presentation**

Special Assessment Presentation. Terrell K. Arline, Of Counsel, presented information regarding special assessments. He reported that special assessments are authorized by Chapter 197, Florida Statutes, to be collected pursuant to the Uniform Assessment Collection Act (tax bill).

Mr. Arline stated that a special assessment is often used to recover a local government's cost to provide services or capital projects that provide a special benefit to real property. The master assessment ordinance will not obligate the City to impose assessments, impose any assessments or utilize the procedures in Chapter 170, Florida Statutes. It is not a substitute for code enforcement. He recommends adopting a master special assessment ordinance under the direction of Heather Encinosa, attorney for Nabors and Giblin.

Mr. Roth gave examples of how this would help the City. The homes south of the Kings Street bridge do not have City sewer and have septic tanks. Eventually, there will be a law that we have to get rid of septic tanks. This ordinance would allow us to charge the cost to neighborhood rather than the entire City pay to extend sewer service over the bridge.

Another example is if a hurricane hits this area and properties are left abandoned. An ordinance would give the City a mechanism to clean those properties and guarantee the City get paid.

Councilor Key stated she feels strongly that this is something we need if, for no other reason, if we are hit by a hurricane, there would be areas rebuilt and other areas that are not taken care of. It is responsible to have this in place as a coastal community.

Mayor Brown commented this is something we should pursue and keep updated.

Councilor Messinger expressed that this is a mechanism that gives more teeth to what Code Enforcement has now. If we have very bad flooding and people choose to abandon their homes, this would make sure the City is reimbursed for the expenses of keeping the property secure and cleaned up.

It was the consensus of Council to move forward with the special assessment ordinance process. Mr. Roth stated Ms. Encinosa had provided an engagement letter. The letter did not have a cap but had an hourly rate. He would come back with how many hours it could possibly take.

**Payment In-
Lieu of
Parking**

Payment In-Lieu of Parking. Community Development Director Heather Whitmore explained that payment in-lieu of providing off-street parking in the Central Business District provides an opportunity for the owner of a property to request a waiver for a portion or all of the required non-ADA off-street parking spaces through payment of a fee-in-lieu of providing required parking pursuant to Section 27-540

There is currently no fee established for the payment in-lieu of parking program. Furthermore, the existing ordinance requires the that fees must be used to construct or provide additional parking. Staff recommends establishing a flat rate fee for the payment fee-in-lieu of parking. Staff also recommends revising the ordinance to allow funds to spent to support a variety parking and transportation improvements in the Central Business District.

Discussion included use changes, a flat rate to increase yearly with the CPI, payment structure and expenditure of the revenues.

The consensus of Council is for the amount to be \$12,500 per space with 50% of the total fee paid upfront and the remaining balance be paid over 24 months.

Ms. Whitmore will prepare a formal ordinance to be presented at the October 2, 2023, Council meeting.

Police Chief
Report

Police Chief Michael Key presented the August monthly police report. He stated the PD was actively working on the arson case on Nightfall Drive. He encouraged anyone with any information to contact the NBPD at (904) 270-2413. To remain anonymous, please contact First Coast Crime Stoppers 1 (866) 845-8477. He also stated that the NBPD is taking a stance on gun violations. He added that we need to encourage parents to educate their children on e-bike safety.

PUBLIC COMMENTS

Public Comment

Nicole de Venoge, 617 Oak Street, Neptune Beach, addressed communications. She suggested more text alerts. She suggested sending emails about what's going on in the Community.

Mark Waddell, 617 Oak Street, Neptune Beach, stated we need to address golf cart safety. He added he had concerns regarding the special assessment and if the special assessment limited to a single property, a neighborhood or the entire town.

COUNCIL COMMENTS

Council
Comments

Councilor Key commented that information people need is on the website. If it can't be found, call and ask. To be an engaged citizen, you have to ask questions, call representatives and looking for information. There should be ownership on the resident side of being proactive. She has spoken with City Manager Pike about doing a newsletter. Things aren't hidden and there is misinformation going around. This is not good for our community. She hopes this will empower people to be proactive.

City Attorney

Mr. Roth stated that you cannot use a special assessment to replace taxes. It has to be a special assessment for a special purpose.

Adjournment

There being no further business, the workshop meeting adjourned at 7:25 p.m.


Elaine Brown, Mayor

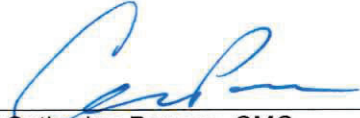
ATTEST:


Catherine Ponson, CMC
City Clerk



Approved: 10-16-2023

ATTEST:



Catherine Ponson, CMC
City Clerk

Approved: 10-16-2023

