



**MINUTES
SPECIAL CITY COUNCIL MEETING
MONDAY, OCTOBER 16, 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, October 16, 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 Attorney Zachary Roth
Police Chief Michael Key
Chief Financial Officer Jaime Hernandez
Senior Center Director Leslie Lyne
Community Development Director Heather Whitmore
Public Works Director Deryle Calhoun
Parks and Sustainability Director Colin Moore
City Clerk Catherine Ponson

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

Mayor Brown called the meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Neptune Beach Boy Scout Troop 40.

APPROVAL OF MINUTES

Minutes

Made by Livingston, seconded by Key.

MOTION: TO APPROVE THE FOLLOWING, AS AMENDED:

September 5, 2023, Special City Council Meeting
September 5, 2023, Regular City Council Meeting
September 18, 2023, Special City Council Meeting
September 18, 2023, Workshop City Council Meeting

Roll Call Vote:

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

MOTION CARRIED

PUBLIC COMMENTS / NONE

VARIANCES / SPECIAL EXCEPTIONS / DEVELOPMENT ORDERS / NONE

ORDINANCES

Ord. No. 2023-10, Payment In-Lieu of Parking Ordinance No. 2023-10, First Read and Public Hearing. An Ordinance of the City of Neptune Beach, Florida Amending And Revising Chapter 27, Unified Land Development Regulations; Revising the Following Articles: Article XIII- Parking and Loading, Section 27-541, Payment In-Lieu Of Providing Off-Street Parking in the Central Business District; Providing Severability; Providing for Repeal of Laws in Conflict; and Providing for an Effective Date

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

Community Development Director Heather Whitmore explained that this is the payment in-lieu of parking ordinance that had been discussed at the September 18, 2023, Council Workshop. This ordinance reflects all of the changes discussed at that meeting. The purpose of the ordinance is to establish a flat rate fee calculation for the payment fee-in-lieu of parking program in the Central Business District. The ordinance expands how those fees may be utilized and limits the use of funds to the Central Business District. Specifically, the ordinance permits funds to spent to support a variety parking and transportation improvements in the Central Business District.

Ms. Whitmore stated that the ordinance revises the payment terms to require a first payment of 50% of the total fee prior to issuance of a building permit or the first certificate of occupancy (whichever comes sooner) and provides that the 50% balance of the amount due may be paid in equal monthly payments plus prime rate for up to two years.

City Attorney Zachary Roth confirmed Vice Mayor Chin's statement that the language is what the city wants because it states the applicant may request a waiver. It does not obligate the city to grant the payment in-lieu of parking fee. It was also confirmed that the language is sufficient to levy new fees if the use increases and parking requirements increase.

Councilor Messinger asked if these funds would go into an enterprise-style fund.

Chief Financial Officer Jaime Hernandez stated that the funds would go into a special revenue fund to be set aside for a specific purpose.

Made by Messinger, seconded by Key.

MOTION: TO APPROVE ORDINANCE NO. 2023-10, AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA AMENDING AND REVISING CHAPTER 27, UNIFIED LAND DEVELOPMENT REGULATIONS; REVISING THE FOLLOWING ARTICLES: ARTICLE XIII- PARKING AND LOADING, SECTION 27-541, PAYMENT IN-LIEU OF PROVIDING OFF-STREET PARKING IN THE CENTRAL BUSINESS DISTRICT ON FIRST READ

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

NEW BUSINESS

Variable Frequency Drive Panel Installation Return and Waste Sludge Pumps Variable Frequency Drive Panel Installation. Public Works Director Deryle Calhoun explained that variable frequency drive panels control various processes within the wastewater plant. A new panel has been purchased and Miller Electric Company through a City of Jacksonville piggyback contract, has provided a

quote for the installation of not-to-exceed \$28,000.00
Made by Messinger, seconded by Chin.

MOTION: **TO APPROVE INSTALLATION OF THE VARIABLE FREQUENCY DRIVE
PANEL IN THE AMOUNT NOT TO EXCEED \$28,000.00 TO MILLER
ELECTRIC COMPANY**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Request for
Inclusion

Request for Inclusion for FDEP Wastewater State Revolving Fund (Wastewater System Improvements). Mr. Calhoun explained this is a request to be included for the FDEP November 2023 meeting for a loan for projects including another gravity sewer of 3rd Street and an extension of the Florida Boulevard force main to the wastewater treatment plant.

Made by Chin, seconded by Messinger.

MOTION: **TO APPROVE STAFF AND CONSULTING ENGINEERS TO UPDATE
THE REQUEST FOR INCLUSION FOR SUBMITTAL**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

3rd Street Gravity
Sewer Project

Engineering Services for 3rd Street Redundant Gravity Sewer. Mr. Calhoun explained this for the engineering services for the gravity sewer project approved on September 5, 2023. J. Collins Engineering has a current continuing services contract with the City. He presented an image of an estimated 85% blockage of our wastewater pipe crossing 3rd Street.

Made by Messinger, seconded by Livingston.

MOTION: **TO APPROVE/AWARD RECOMMEND TO J. COLLINS ASSOCIATES
IN THE AMOUNT OF \$35,950.00**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

FOP Contract

Agreement between The Florida State Lodge, Fraternal Order of Police, Inc., and the City of Neptune Beach.

Councilor Messinger pointed out that there had been discussions and meetings on these agreements. This is the final procedural item to quantify the agreements. There have been a lot of staff hours and negotiations to reach this point.

Made by Messinger, seconded by Chin.

MOTION: **TO APPROVE THE CONTRACT BETWEEN THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE AND THE CITY OF NEPTUNE BEACH**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Local 630 Contract Agreement between Northeast Florida Public Employee's Local 630 and the City of Neptune Beach.

Made by Chin, seconded by Messinger.

MOTION: **TO APPROVE THE CONTRACT BETWEEN THE NORTHEAST FLORIDA PUBLIC EMPLOYEE'S LOCAL 630 AND THE CITY OF NEPTUNE BEACH**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Res. No. 2023-12, Resolution No. 2023-12, Appointing Members to the Community Development Board.
CDB Members Mayor Brown explained this resolution appoints members to the Community Development Board. All of the Council members have received and reviews the application.

Made by Chin, seconded by Key.

MOTION: **TO APPROVE RESOLUTION NO. 2023-12, APPOINTING MEMBERS TO THE COMMUNITY DEVELOPMENT BOARD, WHICH MOVES ALTERNATE MEMBER ANTHONY MAZZOLA UP TO REGULAR MEMBER, APPOINTS CORRINE BYLUND AS REGULAR MEMBER AND APPOINTS LYNDIA PADRTA AS ALTERNATE MEMBER**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Res. No. 2023-13, Resolution No. 2023-13, State Revolving Fund Loan. Mayor Brown stated that this
SRF Loan resolution corrects a previous resolution to include additional required information.

Made by Messinger, seconded by Key.

MOTION: **TO ADOPT RESOLUTION NO. 2023-14, AUTHORIZING STATE REVOLVING LOAN APPLICATION**

Roll Call Vote:

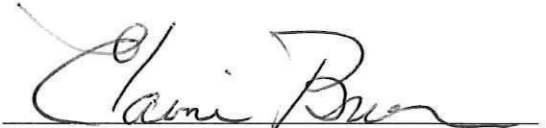
Ayes: 5-Messinger, Key, Livingston, Chin, and Brown

Noes: 0

MOTION CARRIED

Adjournment

There being no further business, the meeting adjourned at 6:24 p.m.


Elaine Brown, Mayor

ATTEST:


Catherine Ponson, CMC
City ClerkApproved: 11-6-2023



MINUTES
WORKSHOP CITY COUNCIL MEETING
IMMEDIATELY FOLLOWING THE SPECIAL MEETING
MONDAY, OCTOBER 16, 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, October 16, 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.

Mayor Brown reported that in the recent budget passed by the City of Jacksonville, \$8 million was approved for Hopkins Creek Drainage Constructions. City staff and lobbyist Jim Gilmore had attended budget committee meetings and answered questions regarding the project.

**TIP
Committee**

Mayor Brown advised there would be an upcoming Transportation and Infrastructure Planning Committee meeting in the form of a Special Workshop on SB 64 and also include Complete Streets.

**Proposed
Ordinance**

Proposed Ordinance, Floodplain Regulations. Community Development Director Heather Whitmore reported that the city had been working on the Community Rating System (CRS) update. This must be completed to bring insurance rates down. It is a National Flood Insurance Program (NFIP) which the City is a participant. The city has a rating of 8 currently.

Ms. Whitmore advised that part of what is needed is bringing the City's floodplain ordinance up to date to meet minimum NFIP standards, CRS standards, and Florida Department of Environmental Management (FDEM) model code minimum standards.

Ms. Whitmore stated that what is being presented is not regulatory for the community but more technical and is required.

Ms. Whitmore reviewed the required updates, which include moving flood hazard regulatory definitions must be moved from Chapter 27, Land Development Regulations, to Chapter 30, Floodplains. She added that the entire ordinance would be presented on November 6, 2023.

COUNCIL COMMENTS

Council
Comments

Councilor Messinger commented that the city brought on lobbyist Jim Gilmore who has already been successful. It has worked out well not just for the COJ approval announced earlier but looking at creating long-term revenue streams on recapturing existing tax dollars and keeping more in Neptune Beach. He wanted to point out the value of having Mr. Gilmore along with working with staff.

Vice Mayor Chin requested City staff look into the city becoming more proactive about enforcing City Codes like the noise ordinance or anything that would disturb residents. He would like staff to work up ways to start addressing this issue.

Councilor Key commented that the grease image in the pipe presented at the Special Meeting would make a great social media post for educating residents.

Councilor Messinger stated that the city has been proactive in some matters, particularly with the businesses that have not been good partners in the community. He agrees we need to continue to pursue those issues. He thanked staff and the Police Department for steps taken so far. We need to protect what we have.

Adjournment

There being no further business, the workshop meeting adjourned at 6:35 p.m.


Elaine Brown, Mayor

ATTEST:


Catherine Ponson, CMC
City Clerk



Approved: 11-6-2023