



MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, MAY 6, 2024, 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 Monday, May 6, 2024, at 6:00 p.m., at Neptune Beach City Hall, 116 First Street, Neptune Beach, Florida 32266

Mayor Elaine Brown
 Vice Mayor Kerry Chin
 Councilor Lauren Key
 Councilor Nia Livingston
 Councilor Josh Messinger

City Manager Richard Pike
 City Attorney Zachary Roth
 Chief of Police Michael Key
 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. and led the Pledge of Allegiance.
Police Chief Comments	Chief of Police Michael Key reported that four police officers were killed in Charlotte, NC and four were wounded in an incident on April 29. One of the shooters was seventeen years old. He hopes this type of evil never finds our community. He thanked our public servants and officers for the job they do and asked for a moment of silence for the officers who lost their lives.
Clerks Proclamation	Mayor Brown presented City Clerk Catherine Ponson a proclamation recognizing May 5-11, 2024, as Municipal Clerks Week.
Community Garden	Kira Mauro, Community Garden Manager, stated the organic community garden had been located in Jarboe Park since its inception in 2008. They currently serve 24 individuals, family and school plot holders. They host pollinator areas, a small children's garden, and monthly classes which are partnered with the University of Florida, Institute of Food and Agricultural (UF IFAS). They are licensed as a nursery. At present, three-fourths of the plot holders are Neptune Beach residents and a vast majority live within one mile of the garden. There is currently a monthly workday and open house every first Saturday of the month from 9 a.m. until noon, which includes children's activities. They are also recruiting for any teachers interested in engaging in ongoing children's activities. Ms. Mauro reported that the children's garden is alive and well. There have been some recent aesthetic changes. It is a very well supported part of the garden and the most visited. Vice Mayor Chin stated there were emails and controversy over the installation of items that could be used to play music.

Ms. Mauro stated that in 2020, a local scout troop donated a mud kitchen. They also donated a music wall, which was constructed with a base of wood and a pipe organ made of PVC pipe and other recycled musical elements. They were told to remove it as it was unsightly.

Councilor Key asked Ms. Mauro what Council could do to help support improving the children's garden? She stated she would personally give \$100 towards any improvement or redoing any musical features, as that was most popular. There are other people in the community that would donate.

Ms. Mauro continued that there were mature plants on order that would be going in as a hedge between the children's garden and the canal facing Florida Boulevard. She also added that she could bring a plan for any future construction to the children's garden to City Administration.

Ms. Mauro commented that DIG Local, which runs the community garden, accepts donations, both in-kind and financial.

Councilor Messinger stated he would match Councilor Key's donation.

Rory Diamond
Comments

City of Jacksonville Councilmember Rory Diamond, District 13, and Neptune Beach resident, 1515 Ocean Front, reported on various projects in the area. He advised that the Penman Road project has had changes, and he would be sharing the plan as soon as he receives it. He also added that the path at Jarboe Park would be completed and he is also proposing the improvement of the lifeguard station.

APPROVAL OF MINUTES

Minutes

Made by Messinger, seconded by Livingston.

MOTION: TO APPROVE THE FOLLOWING, AS AMENDED:

April 1, 2024, Regular City Council Meeting

April 15, 2024, Special City Council Meeting

April 15, 2024, Workshop City Council Meeting

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

PUBLIC COMMENT

Public Comment

Miriam (Doodle) Cinotti, 1031 Marvone Lane, Neptune Beach, spoke regarding the Senior Activity Center, clarity on e-bikes, and the Penman Road project.

David Wicker, 427 South Street, Neptune Beach, requested the status of the South Street study. He also commented on e-bikes, the children's garden, and the possibility of a dog park.

CITY MANAGER REPORT

City Manager Report	City Manager Richard Pike reported he and CFO Jaime Hernandez met with each department head. Departments are currently at less than fifty percent of their budget. He also stated that a code enforcement officer had been hired.
Public Works Report	Public Works Director Deryle Calhoun reported that the City had passed water toxicity tests and gave an update on that process. He also reported on the upcoming permit renewals and the stormwater model.
City Attorney Comments	City Attorney Zachary Roth announced his resignation as City Attorney. He submitted a notice of resignation letter stating his and the Ansbacher Law Firm's resignation dated May 6, 2024. He thanked Council and added he would stay as long as it takes to find a replacement.
Police Chief Comments	Chief Key announced four letters of commendation had been issued from Sergeant William Torres recognizing Neptune Beach Police Officers Kelly Camacho, Joseph Dzamko, Jason Haines, and Darren Jensen. Chief Key also reported that the new Neptune Beach Police Department has received the 2024 Innovation Award for their new badge. The award was named by the Network Association of Uniform Manufacturers & Distributors (NAUMD).

ORDINANCES

Ord. No. 2024-03, Spending Threshold	<u>Ordinance No. 2024-03, Second Read and Public Hearing.</u> An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 2, Article VI, Section 2-378, Written Request to Council; Approval; Bid Invitations; Providing for Severability; 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. Made by Messinger, seconded by Key.

MOTION: TO ADOPT ORDINANCE NO. 2024-03, AMENDING CHAPTER 2, ARTICLE VI, SECTION 2-378**Roll Call Vote:**

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

Noes: 0

MOTION CARRIED**OLD BUSINESS**

Dancin' in the Street	<u>Dancin' in the Street Event.</u> Chief Key expressed that from the police security standpoint, which is his role, he looks at the stipulations and ensures there is a safe event. He added that he requested the postponement of approval, at the last Council meeting, to give more time to vet some of the security concerns. He commented that the mission of the Dancin' in the Street festival is for the Beaches Town Center Agency to charity fundraise to increase funds to be put back into the Beaches Town Center to beautify our downtown area. Other businesses have put forth to extend the premises to serve alcohol. This ultimately has grown the footprint of the event. Those concerns were expressed at the last meeting. The Local, Sliders and Lemon Bar are the businesses.
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He advised Council that if the extension of premises are to be granted, he would have to contribute funding towards security of Dancin' in the Street with City funds. His take on this is, if he is going to absorb, contribute, or make any obligation to try to make the security correct and adequate, he recommends that the other organizations that want to participate, as well as the Beaches Town Center Agency, also contribute. He is comfortable with the security stipulations he has submitted to the City Manager.

Vice Mayor Chin questioned how the Police Chief contributing is different in Line 12 of the Conditional Letter of Approval where it states, "Promoter must hire 20 off-duty police officers at \$55.00 per hour."

Chief Key answered that the promoter, the Beaches Town Center Agency, would be funding the costs of the 20 officers. Those 20 officers are made up of Neptune Beach Police and Jacksonville Sheriff's Office (JSO). In addition, due to the large crowds, the City is bringing in the Fernandina Beach Police Department and Jacksonville Beach Police Department through mutual aid. Those agencies are being funded by their own City overtime.

Councilor Messinger stated that in years past, Council has approved helping to support this event by picking up the overtime hours. He commented as a City, he would like to continue the support of the Town Center Agency. He would also like to see the private businesses, coming into a community fundraiser, also pick up a share of the security costs required to be able to serve outside of their premises.

Chief Key pointed out that historically speaking the Police Department, through their budget, has absorbed about \$6,000 each year. He is keeping a close eye on their overtime budget and they have not had their busiest time, including July 4th. He does not believe it would be prudent to authorize \$6,000 to come out of an already strained budget without moving funds from another funding source.

Councilor Key stated that essentially it would be the City donating and not the Police Department.

Mayor Brown summarized that they are being asked to approve the event as stipulated in the conditional approval letter.

Chief Key stated that it was presented to him that all of the extension of premises permits are wrapped into this acceptance approval. Approving this item would be approving everything.

Mr. Roth agreed with Chief Key unless a caveat is made.

Councilor Livingston commented that she would not feel comfortable approving this without adding an amendment that if we are granting the extension of permits, then those businesses should be contributing funding for the security.

Made by Messinger, seconded by Livingston.

MOTION: TO APPROVE DANCIN' IN THE STREET EVENT, PUTTING A CONDITION ON ANY PRIVATE BUSINESS USE PERMIT, THAT THEY BEAR AN EQUAL SHARE OF THE COSTS FOR TOTAL SECURITY AND THAT THEY PROVIDE EVIDENCE OF SUCH PAYMENT PRIOR TO THE EVENT PERMIT FOR THAT SPECIFIC INDIVIDUAL BEING ISSUED. FAILURE TO PROVIDE SUCH EVIDENCE WILL RESULT IN PERMIT DENIAL

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

NEW BUSINESS

911 Agreement

911 User Fee Agreement with JSO.

Made by Messinger, seconded by Chin.

**MOTION: TO APPROVE THE AGREEMENT FOR 911 USER FEE DISTRIBUTION
BETWEEN THE CITY OF NEPTUNE BEACH AND THE JACKSONVILLE
SHERIFF'S OFFICE**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

Disaster Debris
Removal

Agreement for Disaster Debris Removal and Disposal.

Made by Messinger, seconded by Livingston.

**MOTION: TO APPROVE THE AGREEMENT FOR DISASTER DEBRIS REMOVAL
AND DISPOSAL CONTINUING SERVICES BETWEEN GRUBBS
EMERGENCY SERVICES, LLC AND THE CITY OF NEPTUNE BEACH**

Roll Call Vote:

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

Noes: 0

MOTION CARRIED

COUNCIL COMMENTS

Mayor Brown congratulated Councilor Livingston on the birth of her son, Ryder, on April 25, 2024.

Adjournment

There being no further business, the meeting adjourned at 7:06 p.m.

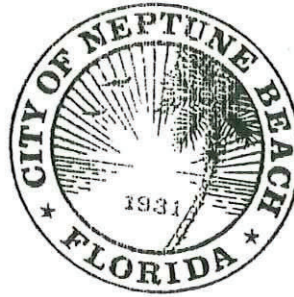


Elaine Brown, Mayor

ATTEST:



Catherine Ponson, CMC
City Clerk



Approved: 06/03/2024