



MINUTES
SPECIAL CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 3, 2024, 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, September 3, 2024, 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 (*absent*)
Councilor Nia Livingston (*absent*)
Councilor Josh Messinger

STAFF:

City Manager Richard Pike
City Attorney Paul Waters
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**

Mayor Brown called the Special Meeting to order at 6:00 p.m.

Recess

Mayor Brown announced that Councilor Key had been hospitalized and Councilor Livingston was out of town. She stated that the meeting would be recessed until Councilor Messinger's plane lands, and he arrives. This should be around 7:45 p.m. The Duval County Property Tax Collector had advertised this first public hearing for the millage rate as September 3, 2024. The meeting was called to a recess at 6:02 p.m. due to lack of a quorum.

**Meeting Called
Back to Order**

Mayor Brown reconvened the meeting at 7:49 p.m. upon the establishment of a quorum.

**Ord. No. 2024-
05, Millage
Rate**

Ordinance No. 2024-05, Adopting Final Millage Rate, First 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, 2024, and ending September 30, 2025; 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 3.1072 mills. The rate to be adopted reflects an 8.32% increase over the "Rolled-back" rate. The rate that is to be levied in this ordinance by the City Council is 3.3656 mills.

Public Hearing

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

Made by Chin, seconded by Messinger.

MOTION: **TO APPROVE ORDINANCE NO. 2024-05, ADOPTING A MILLAGE RATE OF 3.3656 AT FIRST READ**

Roll Call Vote:

Ayes: 3-Messinger, Chin, and Brown

Noes: 0

Absent: 2-Key and Livingston

MOTION CARRIED

Ord. No. 2024-06, FY25 Budget Ordinance No. 2024-06, Adopting A Final Budget, First 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, 2024, and ending September 30, 2025; 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 Chin.

MOTION: **TO APPROVE ORDINANCE NO. 2024-06, ADOPTING THE FY2024-2025 BUDGET AT FIRST READ**

Roll Call Vote:

Ayes: 3-Messinger, Chin, and Brown

Noes: 0

Absent: Key and Livingston

MOTION CARRIED

Adjournment There being no further business, the Special Meeting adjourned at 7:53 p.m.


Elaine Brown, Mayor

ATTEST:


Catherine Ponson, CMC
City Clerk



Approved: 10-07-2024



MINUTES
REGULAR CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 3, 2024, 7:53 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 Tuesday, September 3, 2024, at 7:53 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 (*absent*)
Councilor Nia Livingston (*absent*)
Councilor Josh Messinger

STAFF:

City Manager Richard Pike
City Attorney Paul Waters
Police Chief Michael Key
Chief Financial Officer Jaime Hernandez
Community Development Director Heather Whitmore
Parks and Sustainability Director Colin Moore
City Clerk Catherine Ponson

**Call to Order/Roll
Call**

Mayor Brown called the meeting to order at 7:53 p.m.

**Presentation
Deferred**

The presentation for the City Catalyst Grant has been deferred to September 16, 2024.

APPROVAL OF MINUTES

Minutes

Made by Messinger, seconded by Chin.

MOTION:**TO APPROVE THE FOLLOWING:**

June 3, 2024, Regular City Council Meeting
June 17, 2024, Workshop City Council Meeting
June 24, 2024, Special City Council Meeting
July 15, 2024, Special City Council Meeting
July 15, 2024, Workshop City Council Meeting
July 31, 2024, Special City Council Meeting
August 19, 2024, Special City Council Meeting
August 19, 2024, Workshop City Council Meeting
August 21, 2024, Special City Council Meeting

Vice Mayor Chin pointed out that there are many sets of minutes to be approved at this meeting as the August 5, 2024, Council meeting was canceled due to Hurricane Debby.

Roll Call Vote:

Ayes: 3-Messinger, Chin, and Brown

Noes: 0

Absent: Key and Livingston

MOTION CARRIED

Mayor Brown recognized students from Beaches Chapel School Government History Class.

ORDINANCES

Ord. No. 2024-04,
Pension
Ordinance

Ordinance No. 2024-04, Second Read and Public Hearing. An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 2, Administration, Article V, Employee Benefits, Division 4, Police Officers' Retirement System of the City of Neptune Beach, Section 2-349, Contributions, and Section 2-349.1, Benefit Amounts and Eligibility, to Provide for an Increase in the Member Contribution Rate; To Provide for an Annual Benefit Increase for Members Who Retired On or After October 1, 2020; To Provide for a One-Time Benefit Increase In Retroactive Benefits for Retirees and Beneficiaries Who Retired Before October 1, 2020; to Make October 1, the Effective Date of any Cost of Living Adjustments; Directing the City Clerk to File a Copy of this Ordinance with the Florida Department of Management Services, Division of Retirement; Providing for Severability of Provisions; Repealing All Ordinances in Conflict Herewith and Providing an Effective Date.

Public Hearing

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

Discussion

Councilor Messinger pointed out that the terms of the ordinance had been updated based on his amended motion from the previous meeting and he is good with how it is presented.

Vice Mayor Chin stated that this is being funded through a pre-paid contribution credit that is over \$700,000 and can't be used for any other purpose other than something like this. The purpose is to keep up with inflation and there was no mechanism in place to account for price index increases or inflation. Public sector employees are not paid as much as private sector employees so we must offer something that gives more stability and more incentive to become public service employees.

Mayor Brown added that JSO, Jacksonville Beach and Atlantic Beach increased the pay for new recruits and those that are already employed. It is not easy to recruit new police officers in this day and time. She thanked the NBPD and commented that they should be paid well.

Made by Messinger, seconded by Chin.

MOTION: TO ADOPT ORDINANCE NO. 2024-04 ON SECOND READ

Roll Call Vote:

Ayes: 3-Messinger, Chin, and Brown.

Noes: 0

Absent: Key and Livingston

MOTION CARRIED

Ord. No. 2024-07, Parking Fines Ordinance No. 2024-07, First Read and Public Hearing. An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 22 of the Code of Ordinances, Traffic and Motor Vehicles, by Amending Section 22-26, Schedules of Streets, District and Zones; Providing for Conflicts; 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.

Discussion Chief of Police Michael Key stated this is an amendment to the ordinance as written. He would categorize it as a housekeeping clean-up. The ordinance specifically defines the amount for the fines as \$35.00. He commented that as time goes on with the increasing of fines and cost studies with other cities, he feels it is necessary to look at those and adjust the fines as needed. This does not adjust the fines to a specific number. This gives the ability to be able to do that when the time is right.

Mayor Brown commented that if there is any increase, Chief Key would be letting Council know.

Vice Mayor Chin remarked that we need to have flexibility to meet different situations instead of being locked in.

Councilor Messinger stated that this is straightforward legislation, and he is all for supporting this.

Chief Key reported that he would make sure Council, appropriate stakeholders, and the public know that the fines would increase when that day comes.

Made by Messinger, seconded by Chin.

MOTION: TO APPROVE ORDINANCE NO. 2024-07 ON FIRST READ

Roll Call Vote:

Ayes: 3-Messinger, Chin, and Brown.

Noes: 0

Absent: Key and Livingston

MOTION CARRIED

City Attorney Agreement City Attorney Agreement. Mayor Brown introduced Paul Waters, the new City Attorney. The contract had been reviewed and included in the Council packet.

Councilor Messinger pointed out in Item III of the contract it states, "Extraordinary Services," that are outside of the standard retainer agreement. He stated there was no hourly rate listed and he wanted to make sure those extraordinary services would be included within the proposal.

Mr. Waters confirmed that those services are included in the flat rate of \$10,500 per month no matter what those services are.

Made by Chin, seconded by Messinger.

MOTION: TO APPROVE THE AGREEMENT FOR CITY ATTORNEY SERVICES

Roll Call Vote:

Ayes: 3-Messinger, Chin, and Brown

Noes: 0

Absent: Key and Livingston

MOTION CARRIED

Res. No. 2024-04,
Opposition to Park
Development

Resolution No. 2024-04, Opposition to Park Development. Mayor Brown reported that this resolution opposed proposed development in Anastasia State Park in St. Augustine. Even though the governor has tabled the proposal, she is still requesting Council support of the resolution.

Vice Mayor Chin stated he would welcome a broader statement saying Council opposes any interventions in state parks. The parks belong to all Floridians and are a natural resource everyone can enjoy.

Made by Messinger, seconded by Chin.

MOTION: **TO APPROVE RESOLUTION NO. 2024-04, OPPOSING THE DEVELOPMENT IN ANASTASIA STATE PARK**

Roll Call Vote:

Ayes: 3-Messinger, Chin, and Brown

Noes: 0

Absent: Key and Livingston

MOTION CARRIED

Res. No. 2024-05,
CDB
Appointments

Resolution No. 2024-05, CDB Appointments. Mayor Brown stated that this resolution reappoints the below-listed members of the CDB:

William Hilton	Regular Member	1st 3-year	09/04/2024 - 09/04/2027
Charles Miller	Regular Member	2nd 3-year	09/04/2024 - 09/04/2027
Jonathan Raiti	Regular Member	2nd 3-year	09/04/2024 - 09/04/2027

Made by Messinger, seconded by Chin.

MOTION: **TO APPROVE RESOLUTION NO. 2024-05, APPOINTING MEMBERS TO THE COMMUNITY DEVELOPMENT BOARD**

Roll Call Vote:

Ayes: 3-Messinger, Chin, and Brown

Noes: 0

Absent: Key and Livingston

MOTION CARRIED

Adjournment

There being no further business, the meeting adjourned at 8:16 p.m.


Elaine Brown, Mayor

ATTEST:


Catherine Ponson, CMC
City Clerk

Approved: 10-07-2024

