



MINUTES
SPECIAL CITY COUNCIL MEETING
TUESDAY, JANUARY 18, 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, January 18, 2022, at 6:00 p.m., at Neptune Beach City Hall, 116 First Street, Neptune Beach, Florida 32266.

Attendance:**IN ATTENDANCE:**

Mayor Elaine Brown
Councilor Kerry Chin
Councilor Lauren Key
Councilor Josh Messinger

STAFF:

City Manager Stefen Wynn
City Attorney Zachary Roth
Police Chief Richard Pike
Public Works Director Jim French
Grant and Resiliency Coordinator Colin Moore
Mobility Management Director Megan Steward
Chief Information Officer Miklos Stoffel
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.

**Ordinance No.
2022-01, FY 2021
Budget Amendment**

ORDINANCE NO. 2022-01, FIRST READ AND PUBLIC HEARING. An Ordinance Amending the Operating Budget for the City of Neptune Beach, Florida for Fiscal Year 2021. Beginning October 1, 2020 and Ending September 30, 2021

Public Hearing

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

Councilor Chin commented that for people who are looking at this and used to seeing deficits in parentheses, in this ordinance, it is revenue coming in. He also questioned the deficits and asked the City Manager to confirm that there were adequately budgeted revenues for the deficits that were not properly tallied in the ledger.

Mr. Wynn explained that in the City's book of record, the financial software revenues are booked in parentheses. He pointed out that anything seen in parentheses is additional revenue. He also stated that there were some things that are grossly over budget due to fund transfers that were never made.

Mr. Wynn stated that for the second read of this ordinance, after meeting with Councilor Key, the totals would be included. He reported that \$99,500 is needed from the appropriated fund balance to cover the general fund deficit after all of the transfers. Each fund is broken down with notes.

Councilor Key remarked that she is looking forward to getting a CFO who is going to take care of things that were missed last budget session.

Made by Messinger, seconded by Key.

MOTION: **TO APPROVE ORDINANCE NO. 2022-01, AMENDING FISCAL YEAR 2021 OPERATING BUDGET BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, ON FIRST READ**

Roll Call Vote:

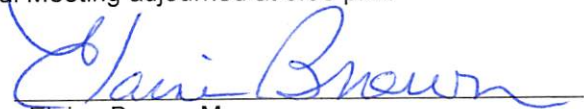
Ayes: 4-Chin, Key, Messinger, and Brown

Noes: 0

MOTION CARRIED

Adjournment

There being no further business, the Special Meeting adjourned at 6:08 p.m.


Elaine Brown, Mayor

ATTEST:



Catherine Ponson, CMC
City Clerk

Approved: _____

2-7-22





MINUTES
WORKSHOP CITY COUNCIL MEETING
IMMEDIATELY FOLLOWING SPECIAL MEETING
NEPTUNE BEACH CITY HALL
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266
TUESDAY, JANUARY 18, 2022, 6:08 P.M.

Pursuant to proper notice, a Workshop City Council Meeting of the City Council of the City of Neptune Beach was held on Tuesday, January 18, 2022, at 6:08 p.m., in Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida, 32266

Attendance**IN ATTENDANCE:**

Mayor Elaine Brown
 Councilor Kerry Chin
 Councilor Lauren Key
 Councilor Josh Messinger

STAFF:

City Manager Stefen Wynn
 City Attorney Zachary Roth
 Police Chief Richard Pike
 Public Works Director Jim French
 Grant and Resiliency Coordinator Colin Moore
 Mobility Management Director Megan Steward
 Chief Information Officer Miklos Stoffel
 City Clerk Catherine Ponson

**Call to
Order/Roll Call**

Mayor Brown called the workshop meeting to order at 6:08 p.m.

AWARDS / PRESENTATIONS / GUESTS / NONE**DEPARTMENTAL SCORE CARD**

City Manager Stefen Wynn presented the Departmental Score Card. He reviewed each department's current and upcoming events and projects. He highlighted the Building, Code Enforcement, and Fire Marshal reports.

**City Manager
Report**

Mr. Wynn reported on the following:

- He gave an update on the Florida Boulevard Culvert Project.
- Temporary speed bumps have been installed on Bay Street.
- He reviewed the differences between a HAWK (High Intensity Activated Crosswalk) and a RRFB (Rectangular Rapid-Flashing Beacon).
- Staff has reviewed Articles I and II of the Land Development Code update and will be discussed later in this meeting.
- A 30% set of drawings for the Senior Center has been reviewed and discussed with the consultant.

Councilor Messinger stated that he wants to ensure that when the Senior Center building is finalized, it is proportionately correct and esthetically pleasing. He does not want to rely on furnishings that come and go. He wants to know what we can do to make it look like more active space permanent to the structure on the front and on the side. How do

we balance the two facades in a way that is most cost effective?

Mr. Wynn stated that we could get some cost alternatives. It would be a bid package that would be considered an alternate. If we want to put that out to bid for the actual construction, we can get an estimate associated with adding some of those architectural details.

Mr. Wynn pointed out that the landscaping is not included on the drawings. The consultant, Marquis Latimer + Halback (MLH) takes the landscaping into serious consideration. Those would be on future sets of drawings, especially along the right elevation.

Councilor Key questioned if there were plans to repaint the building. She stated that it would fit it better with the surroundings.

Mr. Wynn stated that had come up at the design charette held on November 29, 2021, and we have not gotten into those details based on the 30% plans. Once we get further along, he is sure that would be discussed. It is something that needs to be considered.

Councilor Messinger remarked that it is hard to see what the dimensions of the posts are. It should be looked at again as this is a 30-year minimum investment for the seniors in our community. We want to be sure that the balance of the structure is right for the neighborhood. He requested seeing those finer details.

Mr. Wynn reported that with the next meeting with MLH, the City will ask for probable costs of materials so that we can start looking at kicking off a new donation campaign, if necessary.

Mr. Wynn continued his report by stating the tennis, pickleball and volleyball courts in Jarboe Park would be open on January 25, 2022. The path is being poured on the south side of the courts and will cure over the weekend. The courts will be ready for use. Signage is being placed for parking directions.

Mr. Wynn reminded everyone that for all City departments, over 30 projects are ongoing.

Mr. Wynn highlighted City staff members: Senior Accountant Monique Waymer, Mobility Management Director Megan Steward and Police Commander Michael Key.

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>

City Attorney Zachary Roth reported that the federal government unveiled a new website: <https://special.usps.com/testkits>. Every household in the U.S. can order one set of 4 free at-home COVID tests by ordering from the site.

COMMITTEE REPORTS

Finance

Councilor Key reported the Finance Committee last met in November, 2021. As the City Manager has taken on a dual role, items for a finance committee were discussed this evening. A meeting would be scheduled in the next couple of weeks.

Land Use and Parks

Councilor Messinger reported the Land Use and Parks Committee would be meeting the week of February 14th. An agenda will be posted once the date has been confirmed.

PUBLIC COMMENTS

Public
Comment

Chuck McCue, 1908 3rd Street, Neptune Beach, spoke regarding the use of pickleball courts in Jarboe Park. He is concerned our small neighborhood park will turn into a regional pickle ball complex. He questioned the need for eight pickle ball courts and he is also concerned about being prejudicial about who can play and when.

PROPOSED ORDINANCES / NONE**CONTRACTS / AGREEMENTS / NONE****ISSUE DEVELOPMENT**

Mobility
Management
Year-End Report

Mobility Management Department Year-End Report and Parking Zone Proposal. Mobility Management Director Megan Steward presented the 2021 Year-End Report for the Mobility Management Department.

Ms. Steward reported that the City maintains an electric vehicle charging station that was upgraded in 2021. She reviewed current projects that the Mobility Department is working on. These include a partnership with Smart North Florida on an Integrated Data Exchange and a forthcoming 2022 Roadbotics mapping project. This project is in collaboration with the Public Works Department that will automate the process by which we can score the current maintenance of our streets in Phase 1. Phase 2 would score and prioritize our street signs.

In 2021, there was growth in every single one of the measurable data mechanisms. The paid parking program had 212,532 transactions and generated \$605,847.95. Mobile app usage made up 42% of the parking and kiosk usage made up 58%. One of the most compelling takeaways was how few people use cash.

There was 5.2% in a no-charge category which refers to parking transactions recorded with no cost, including the following: 30-minute parking sessions, Atlantic Beach resident three-hour parking, and validation codes redeemed, such as the codes offered for city meetings.

Councilor Messinger requested, and Councilor Key agreed, to somehow track the permitted spaces.

The parking turnover rate for 2021 was 2.3. This tells us that people are not parking in the town center and leaving the car all day.

There are two zones that we manage outside of our property boundaries: 55 parking spaces in Atlantic Beach, that the City of Neptune Beach retains 30% of the revenue per the Interlocal Agreement. There are also 15 spaces at the 200 First Street Courtyard Parking Zone that the City retains 50% of the revenue based on that Management Agreement.

Ms. Steward reported there were 152 residents registered in 2021, for a total of 1,171 active permits. Councilor Messinger requested if there was a way to find out how many active vehicles we have in comparison to what percentage of our residents signed up.

She reviewed the citation and enforcement aspect of the program. She added that she does not consider citations to be a good metric of the success of the program. In 2021, \$29,617 in revenue from citations was collected. There were 9,000 courtesy warnings.

Councilor Messinger suggested reserving the employee spaces on the west side of City Hall for residents after 6 p.m. Councilor Key expressed her support.

Ms. Steward advised that signs had been ordered as they are required to be higher than the existing ones.

Councilor Chin asked about the concern from residents at the beginning of the program regarding the incursion into the residential areas by people looking for free parking. He asked if we had been able to track any of that recently or monitor trends.

Ms. Steward, Mr. Wynn and Police Chief Richard Pike reported they had not received any complaints.

COAB Zone

Ms. Steward advised that Atlantic Beach has approached the City about the possibility of adding another paid parking zone because we already do parking enforcement. They are proposing a new agreement to enforce paid parking at 18th Street and 19th Street, about 1.7 miles north of Beaches Town Center. There would be limited seasons and hours, including March through October, Thursday through Sunday, from 11 a.m. to 7:00 p.m. It could be an opportunity for us to expand the service that we are already providing and increase the revenue that our program brings in.

Ms. Steward stated that if this is something we are interested in pursuing, she recommends entering into a separate interlocal agreement with different revenue sharing than the existing agreement. She is proposing a 50/50 revenue share. Atlantic Beach asked for a cost justification as to why there would be a different split. She presented a spreadsheet showing projected revenue and costs. Atlantic Beach currently makes up 28% of all the spaces in the Town Center area. There is a wide disparity between what we retain and what 28% of that cost would actually be. What she is presenting illustrates that our current interlocal agreement cost share amounts aren't in line with our costs of the program. The City's feeling is that a 50/50 split would be more equitable.

Discussion

Councilor Messinger stated the program was always about continuity and as little confusion between the two cities. The turnover has been very good. The City of Neptune Beach has incurred all of the costs, such as reprogramming software and retooling the system. He proposed moving the revenue share from a gross system to a net system. It encourages adding more spaces into the system and Neptune Beach is not bearing the brunt of those desires to iterate and those desires to change. When their Commission discusses changes, there are factors that play because it would affect their net. He would be fine with the 70/30 split, but make it on a net basis.

Councilor Key remarked that Neptune Beach carries the cost burden of the program. She agrees with Councilor Messinger's proposal of net versus gross. She stated that at a minimum any change to our interlocal agreement should be that change. She is aware of all of the players involved in the parking program. She has reached out to every Atlantic Beach commission member. She and Ms. Steward have met with quite a few of them to better understand their complaint and there has been plenty of finger pointing.

Councilor Key expressed it would be a sever burden on our staff, especially in terms of morale, to enter into any further agreement, to manage anything else that AB would like us to manage. She added they have not been a good partner to us. They are our sister city, but as someone who has met with them and made attempts to cross the aisle to work with them and understand their concerns, it is within her right to say that. She is vehemently against any further expansion of any program within AB and it unfortunately is not something that she would likely ever support given the history of what's gone on.

Mr. Wynn advised that Neptune Beach has not done any cost analysis for 18th and 19th

Street parking. We wanted to bring this before our Council first before presenting to AB.

Mayor Brown stated the costs of expanding that distance would be a detriment to the program for the less than 100 spaces. She added it would impact our main mission unless there was some extraordinary change to the program. She would also be very interested in the change from gross to net for the interlocal agreement. She wants to keep the consistency. She has many questions about taking on something that far away even with a cost analysis because it would not be a good one.

Councilor Chin stated agreed on switching to a calculation from gross to net. Also, the logistical nightmare of having to manage two locations that are miles apart would be horrendous, with the cost and time and inefficiency. He knows that the parking on 18th and 19th Street has attracted a lot of controversy in that community. He would hesitate to take that on and become a lightning rod for their public displeasure. He thinks that the consensus is that we are not going to take on 18th and 19th Street.

Councilor Messinger commented he would be interested in seeing a cost analysis. More importantly, the 70/30 net needs to be addressed regardless. He added that there are mechanisms for this to happen. He questioned how many permits are we scanning. AB is also choosing not to charge for the first three hours.

Mayor Brown reiterated she is apprehensive to take something on that takes away from the original intent.

Mr. Wynn summarized that we need to reopen the existing interlocal agreement to discuss net versus gross and whether or not we want to look at a cost analysis for taking on 18th and 19th Street.

Councilor Key stated she does not think it is in the best interest of the City to take on AB's parking problem. She wants no part in that and it is not our problem. She is fine with having discussions regarding net versus gross but there is no way she would support adding their parking for any amount of money.

Mayor Brown offered that she and Mr. Wynn meet with AB to begin conversations on opening the interlocal agreement and start in that direction.

Councilor Messinger stated he is good with opening the interlocal agreement but if it is not a huge staff effort, there would be value in an analysis. It is not a priority but we should address the interlocal agreement.

LDR Update
Discussion,
Articles I
and II

Discussion and Review of First Draft of Chapter 27, Unified Land Development Regulations, Article I, In General, and Article II, Administrative and Enforcement Bodies, of the Neptune Beach Unified Land Development Code Revisions. Mr. Wynn explained that the version before Council had been back and forth between City staff and Dover, Kohl and Partners (DKP). This includes edits, clarifications, and questions that had come up through internal meetings. City staff includes the City Manager, Code Compliance Supervisor, Code Enforcement Officer, Fire Marshal, Grants and Resiliency Coordinator, and the Public Works Director. Public Safety is also involved for some sections.

Mr. Wynn advised that if Council had any questions or comments, now is the time to discuss so that a running list can be kept. This was discussed at the Community Development Board (CDB) meeting on January 12. One of the board members asked for a definition to include porches. Also, they asked to redefine the drip line for trees.

Councilor Messinger questioned the word floodplain variance being added. He asked if this opens up to reflect for variances within our floodplain to have things redesignated or

to avoid having to have compensatory storage.

City Attorney Zachary Roth stated this is just the first part and he is holding his review until we have a document that he can look at everything at once. He added that this provision is intended to clarify what an appeal is regarding floodplains versus the new concept of appeal that is being introduced in the context of a land use change.

Councilor Messinger stated his concern is opening up the ability to redesignate floodplains or to give an opening that could avoid compensatory storage.

Mr. Roth commented that he does not believe there is any intention to change or add any new rights regarding floodplains solely limited to appeals of land development variances, special exceptions, minor plats and those types of things.

Councilor Messinger also stated he wants to be sure that wetlands and conservation land are not included in density calculations.

Councilor Messinger pointed out that the requirement of twelve copies of the proposed preliminary plat is a bit excessive. He also requested that the plans could be provided on a thumb drive.

He commented that his other concern is making sure how we measure the building elevation intertwines with what we allow for resiliency related to the foundation.

Councilor Key requested changing the request for the copies of the plans to "digital."

She asked if we could keep the name "Community Development Board." The proposed change is to "Community Design Board."

Mr. Wynn stated that we could keep the name Community Development Board as long as within the powers, duties, and authorities, we make the necessary changes that will give those architectural review pieces that we are trying to incorporate into our Code. As long as those duties are within the Code, we can keep the name.

Mr. Roth advised there is no legal basis to change it to "Community Design Board."

Councilor Chin agreed with the request to add the definition of porch and more specifications for it. He also mentioned somehow addressing art in the definition of "building sign" or somewhere else in the Code. He requested a way to address an art project to not be for the express purpose of attracting business.

Councilor Chin pointed out to add to the definition of "Clear Visibility Triangle," the appropriate section that has the dimensions.

He questioned in the definition of "day spa" if we should add the microblading provision that the City granted.

Mr. Roth stated microblading is not tattooing and falls under that definition as it is a nonsurgical cosmetic treatment.

Councilor Chin asked is for the terms of office for the CDB, if there should be an added probationary period of time so that we can monitor the performance of a new member. He also suggested a signature line for the training materials so that the members understand their roles and responsibilities. This could also be a kind of oath of office so that they have a clear understanding of what they are getting into.

Mr. Roth stated that, from his perspective, he would support any measures within reason to ensure proper enforcement of the Code. The probationary side would be something we may want to put in. The oath of office could be added by resolution of the Council.

Councilor Messinger requested clarification that the terms when someone is an alternate, not counting them towards their defined term limits.

Councilor Chin questioned Section 27-40, Board Procedures, and that if the Board is required to record a specific motion and record the findings as agreed to as a body.

Mr. Roth explained that more of that work comes with education and he added he had recently requested a motion be detailed as to the basis of the motion. It states that "statement of the facts for variances and special exceptions found by the board."

Councilor Messinger questioned in Section 27-39 (4) that adds "one acre or more of land" to special exceptions that would come before Council. He asked if this removed some special exceptions from coming to Council.

Mr. Roth explained that all special exceptions used to come before Council. This would basically mean that now residential special exceptions would not. This is designed to put the Council at more of an appellate position as opposed to a final decision. This creates a buffer between an applicant who's angry that they have been denied and filing a lawsuit.

Councilor Messinger stated he had concerns as there are certain areas may be smaller, they might have a huge impact This issue needs to be flushed out.

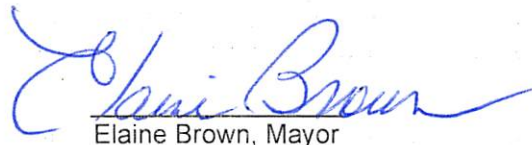
PUBLIC COMMENTS

Public Comment Scott Wiley, 723 Davis Street, Neptune Beach, agrees with the net versus growth for the parking revenue share. He also stated the City does not need to expand the program.

COUNCIL COMMENTS

Councilor Messinger commented he agreed with Mr. Wiley.

Adjournment There being no further business, the Workshop meeting adjourned at 8:02 p.m.


Elaine Brown, Mayor

ATTEST


Catherine Ponson, CMC
City Clerk

Approved: 2-7-22

