



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**MONDAY, DECEMBER 7, 2020, 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, December 7, 2020, at 6:00 p.m., at Neptune Beach City Hall, 116 First Street, Neptune Beach, Florida 32266

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**Attendance:****IN ATTENDANCE:**

Mayor Elaine Brown  
Vice Mayor Fred Jones  
Councilor Kerry Chin  
Councilor Lauren Key  
Councilor Josh Messinger

**STAFF:**

City Manager Stefen Wynn  
City Attorney Zachary Roth  
Commander Michael Key  
Commander Gary Snyder  
Chief Financial Officer Carl LaFleur  
Deputy Public Works Director Megan George  
Mobility Management Director Megan Steward  
Senior Center Director Leslie Lyne  
Community Development Director Kristina Wright  
City Clerk Catherine Ponson

**Call to Order/Roll  
Call**

Mayor Brown called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

**Presentation/Scott  
Wiley**

Mayor Brown presented outgoing Councilor Scott Wiley a proclamation and painting. He was first elected to the Council in 1972. He served on various City boards and recently received the John Land Award from the Florida League of Cities.

Mr. Wiley recognized his wife, Becky, and thanked the Council and City staff.

Mayor Brown stated it had been an honor to serve with Mr. Wiley and how much he is appreciated.

Councilor Chin commented it had been an honor serving with Mr. Wiley. He added Mr. Wiley has a wealth and breadth of knowledge about the community and he would be seeking his input in the future.

Councilor Messinger thanked Mr. Wiley for his dedication to the community.

Vice Mayor Jones stated it was an honor and privilege work with Mr. Wiley.

Councilor Key thanked Mr. Wiley for his dedication and he was always available and willing to answer questions.

**Election of Vice Mayor**

Election of Vice Mayor. Councilor Key stated in keeping with continuity, she would nominate Fred Jones for a second term as Vice Mayor.

Made by Key, seconded by Chin.

**MOTION:****TO NOMINATE FRED JONES AS VICE MAYOR**

Roll Call Vote:

Ayes: 5- Chin, Key, Messinger, Jones, and Brown.

Noes: 0

**MOTION CARRIED****APPROVAL OF MINUTES****Minutes**

Made by Messinger, seconded by Jones.

**MOTION:****TO APPROVE THE FOLLOWING MINUTES:**

November 2, 2020, Regular City Council Meeting

November 6, 2020, City Council Roundtable

November 16, 2020, Special City Council Meeting

November 16, 2020, Workshop City Council Meeting

December 1, 2020, Special City Council Meeting

Roll Call Vote:

Ayes: 5- Key, Messinger, Chin, Jones, and Brown.

Noes: 0

**MOTION CARRIED****COMMUNICATIONS / CORRESPONDENCE / REPORTS****City Manager Report**

City Manager Stefen Wynn reported the following:

- Demolition has started on Jarboe Park. The timeline has been revised to include the installation of a gravity sewer line, which is critical to the park improvements.
- The Beautification Committee has been working to plant trees around the City, including some at Jarboe Park.

Mayor Brown recognized and thanked Beautification Committee President Chris Chin and the entire committee for their efforts.

- The contractor agreement for the park improvements is still in process. This is a piggy-back agreement between COJ and ACON Construction.
- A four-foot high fence would be installed around the drip line of the trees that are not being relocated.
- He reviewed the demolition costs that have been done in-house by Public Works.
- Upcoming workshops for the Vision Plan are scheduled.
- The City will begin to pay approved and legitimate bills from RTA Consulting.
- He reviewed the quarterly reports for the Parking Program.
- Waste Pro is proposing a new pickup schedule after the first of the year. There will be notice and messaging to residents through the City website, social media, Alert Neptune and on the water bill.

All monthly City Manager reports can be found, in their entirety, at : <https://www.ci.neptune-beach.fl.us/city-manager/pages/city-manager-reports>

**Police Chief  
Report**

Commander Michael Key reported that the Christmas Parade and tree lighting was successful and well-attended. The traffic survey on Kings Road is ongoing. He reminded everyone of the holiday package delivery. He invited the public to have their packages delivered to the Police Department to avoid having the package lost.

**PUBLIC COMMENTS**

**Public Comment**

David Blais, 800 1<sup>st</sup> Street, Neptune Beach, spoke regarding the Community Vision Plan. He addressed the Corridor Redevelopment Plan and small-scale apartments. He suggested adding legal language stating that the intent is not to introduce residential into commercial space.

Don Rogers, 1400 Neptune Beach Grove Drive W, Neptune Beach, stated he had been a resident for 37 years. He expressed that his concern is maintaining the residential quality in Neptune Beach.

Pat Hazouri, 207 Florida Boulevard, Neptune Beach, spoke regarding the costs of the Vision Plan process. She added she wanted to know who the consultants met with to find out what investors wanted. She indicated that there are people who have moved in that like Neptune Beach just the way it is.

**VARIANCES / SPECIAL EXCEPTIONS / DEVELOPMENT ORDERS**

**CDB20-06, 1004  
and 1006-1008  
First Street**

CDB20-06, Application for Replat as outlined in Chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach. The property is currently known as for 1004 and 1006-1008 First Street, (RE# 172840-0000 & 172842-0000). The subject property is located on the west side of First Street between Bay and Magnolia in the R-4 zoning district. The applicants are requesting to demolish the existing buildings and replat the properties into two conforming lots. The request is to remove 19 feet from the parcel know as 1006 First (RE#172842-00) and added it to the parcel 1004 First (RE#172840-0000). The granting of the replat would not create any additional lots.

Vice Mayor Jones stated that this is straightforward and does not impact the existing moratorium.

Community Development Director Kristina Wright confirmed Councilor Chin's inquiry that they are taking three units down to two, so each lot will have a single-family home on it.

Councilor Messinger commented that these are two current residents in Neptune Beach. They both live on First Street have built beautiful homes and he has no issue.

Made by Messinger, seconded by Jones.

**MOTION:**

**TO APPROVE CDB20-06, FOR 1004 AND 1006 AND 1006 FIRST STREET SUBJECT TO THE DEMOLITION AND REMOVAL OF THE EXISTING STRUCTURES AT 1004 FIRST STREET AND 1006-1008 FIRST STREET**

**Roll Call Vote:**

Ayes: 5-Messinger, Chin, Key, Jones, and Brown.

Noes: 0

**MOTION CARRIED**

Ord. No. 2020-11, Microblading      Ordinance No. 2020-11, Second Read And Public Hearing. An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 27, Unified Land Development Code; Article IV, Land Use; Amending Section 27-226, Allowable Uses Within Zoning Districts; and Providing an Effective Date (Allows a Specific Form of Tattoo Artistry that only Includes Microblading and Permanent Cosmetic Artistry within the C-2 and C-3 Zoning Districts)

Public Hearing      Mayor Brown opened the public hearing.

Cheryl Diss, 12651 Enchanted Hollow Drive, Jacksonville, thanked the Council for the opportunity to have her business here. She is looking forward to serving the community and helping women and men build back their confidence.

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

Councilor Messinger stated this a good piece of legislation that allows a form of microblading or tattoo artistry that helps those who have a had rough go in life. It continues the spirit in our town.

Made by Messinger, seconded by Key.

**MOTION:**                      **TO ADOPT ORDINANCE NO. 2020-11 ON SECOND READ**

Roll Call Vote:

Ayes:    5-Chin, Key, Messinger, Jones, and Brown.

Noes:    0

**MOTION CARRIED**

Ord. No. 2020-14, Fire Protection      Ordinance No. 2020-14, First Read and Public Hearing. An Ordinance Amending and Restating Chapter 10 (Fire Prevention and Protection); Amending Section 10-1 and Creating New Sections 10-2 through 10-38; Providing for Severability; Providing an Effective Date.

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

Fire Inspector John Ruley reported that it had been a long time since the ordinance had been updated. The ordinance aligns with Florida Statutes. This is not only for the fire marshal inspections, but for public education and other things to go along with fire prevention. He added there is pre-fire planning, which includes the photographing, the diagramming, and information provided to first responders.

Made by Messinger, seconded by Jones.

**MOTION:**                      **TO APPROVE ORDINANCE NO. 2020-14 ON FIRST READ**

Roll Call Vote:

Ayes:    5- Key, Messinger, Chin, Jones, and Brown.

Noes:    0

**MOTION CARRIED**

Ord. No. 2020-15, Balloons      Ordinance No. 2020-15, First Read and Public Hearing. An Ordinance Of the City of Neptune Beach, Florida, Amending Chapter 11 of the Code of Ordinances, Garbage, Trash, and Industrial Waste, By Amending Section 11-2, Compliance Construed; Pollution of Air, Adopting New Subsection to Prohibit the Outdoor Release of Balloons and Sky Lanterns; 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 Jones.

**MOTION: TO APPROVE ORDINANCE NO. 2020-15 ON FIRST READ**

Roll Call Vote:

Ayes: 5- Messinger, Chin, Key, Jones, and Brown.

Noes: 0

**MOTION CARRIED**

Ord. No. 2020-16, Parking Spaces Ordinance No. 2020-16, 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 22-48, Marking of Parking Spaces; 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.

Made by Jones, seconded by Messinger.

**MOTION: TO APPROVE ORDINANCE NO. 2020-16 ON FIRST READ**

Roll Call Vote:

Ayes: 5- Chin, Key, Messinger, Jones, and Brown.

Noes: 0

**MOTION CARRIED**

Ord. No. 2020-17, Golf Carts Ordinance No. 2020-17, First Read and Public Hearing. An Ordinance Creating a New Article V (Golf Carts), Chapter 22 (Neptune Beach Traffic and Motor Vehicles Code), Ordinance Code, Setting Forth Standards and Procedures for Approval and Designation of Public Rights-of-Way For Use By Golf Carts; Designating Parking Areas; Providing For Severability; 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 reported that as discussed in the previous workshop, this is just codifying and forwarding our use of golf carts and electric vehicles in our City. It is making us more pedestrian and low-speed vehicle orientated.

Vice Mayor Jones commented that he was concerned with safety issues and adhering to speed limits. It appears to be consistent with the surrounding communities in terms of pavement width.

Councilor Key questioned the designated parking areas.

Mr. Wynn explained that there are currently existing low-speed vehicle parking areas at some beach accesses. This makes it legal to have them. We are regulating what can and cannot go in some of those areas. This provides a path forward for designating places in the future.

Councilor Chin explained that sometimes we need something like this to help the City structure the way we can regulate the golf carts. Otherwise, we would not be able to for certain rules, like driving on sidewalks.

Mr. Wynn added that by default, this ordinance sets all sidewalks as impermissible for golf carts.

Made by Chin, seconded by Messinger.

**MOTION: TO APPROVE ORDINANCE NO. 2020-17 ON FIRST READ**

Roll Call Vote:

Ayes: 5- Key, Messinger, Chin, Jones, and Brown.

Noes: 0

**MOTION CARRIED**

Ord. No. 2020-18, E-scooter Moratorium     Ordinance No. 2020-18, First Read and Public Hearing. An Ordinance by the City Council of the City of Neptune Beach, Creating a Section 22-7, Article I, In General, Chapter 22, Traffic and Motor Vehicles; Instituting a Temporary Moratorium on the Commercial Rental and Lease, and Use of Rented and Leased, Electric Personal Assistive Mobility Devices, Micromobility Devices and Motorized Scooters; Providing for Legislative Findings, Designation of the Temporary Moratorium, Conflicting Ordinances, Severability, Enforcement, and an Effective Date.

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

Mayor Brown explained that e-scooters are creating issues and accidents in cities. This is a temporary moratorium while an ordinance is put together.

Councilor Chin stated he had seen an article in a Florida League of Cities magazine regarding issues municipalities have faced.

Councilor Messinger commented that he has been to numerous cities where he has seen e-scooters done well and are a complement to the City. He has also seen them piled up all over the town and are a huge detriment. He expressed that the rules we put in place and the time we take will help the quality of life. We do not want unregulated e-scooters piling up everywhere and becoming an issue. He fully supports this ordinance.

Mayor Brown reported that the City Attorney would be looking at other ordinances.

Vice Mayor Jones stated this is timely. This issue is not going away. There are a lot of manufacturers and fly by night companies that do not have a sense of what they are getting into. There is a discussion of dockless versus docked. COJ has launched a pilot program where the escooters only operate to a certain point. It is important to tread lightly and let other places learn from the mistakes before opening it up to anybody. He suggested setting up a pilot program and working with the other beach cities.

City Attorney Zachary Roth advised that this ordinance was drafted in tandem with the City Attorneys from Jacksonville Beach and Atlantic Beach. They will be discussing again next week to see where we go from here.

Mr. Wynn clarified that this is not to regulate personal use of e-scooters but for a business leasing or renting them.

Councilor Key stated she appreciates alternate modes of transportation. She has been to cities where the e-scooters are everywhere in a park. She hopes Neptune Beach does not get dockless e-scooters and would designate a return point.

Made by Chin, seconded by Jones.

**MOTION: TO APPROVE ORDINANCE NO. 2020-18 ON FIRST READ**

Roll Call Vote:

Ayes: 5- Messinger, Chin, Key, Jones, and Brown.

Noes: 0

**MOTION CARRIED**

**OLD BUSINESS / NONE**

**NEW BUSINESS**

Res. No. 2020-09, CDB Appointment

Resolution No. 2020-09, A Resolution Appointing Member to the Community Development Board.

Mayor Brown explained this is appointing David Jaffee to a full one-year term as an alternate on the Community Development Board.

Made by Messinger, seconded by Jones.

**MOTION: TO APPROVE RESOLUTION NO. 2020-09, APPOINTING DAVID JAFFEE TO A ONE-YEAR TERM AS ALTERNATE ON THE COMMUNITY DEVELOPMENT BOARD**

Roll Call Vote:

Ayes: 5-Chin, Key, Messinger, Jones, and Brown.

Noes: 0

**MOTION CARRIED**

Banking Services RFP

Approval of Banking Services RFP Selection. Mr. Wynn reported that the scoring for the banking services RFP had been completed. The result was a tie between Chase Bank and BBVA. The banks were then ranked. Chase Bank came out ahead and he is recommending Chase Banking Services.

Made by Messinger, seconded by Key.

**MOTION: TO AUTHORIZE CITY MANAGER TO ENTER INTO CONTRACT NEGOTIATIONS FOR BANKING SERVICES WITH CHASE BANK**

Roll Call Vote:

Ayes: 5- Key, Messinger, Chin, Jones, and Brown.

Noes: 0

**MOTION CARRIED**

**COUNCIL COMMENTS**

Mayor Brown wished everyone a Merry Christmas. She thanked Council and City staff during this year. She recognized City employees for their years of services including Stephen Cotton, Assistant Lead Operator, 30 years; John Lewis, Stormwater Operator, 20 years; Brian Waldrep, Police Officer, 20 years; Angie Bridges, Public Works Administrative Assistant, 10 years; and Michael Key, Police Commander, 15 years.

Councilor Chin stated this has been a trying year for our nation and City. He looks forward to 2021.


Councilor Messenger commented that all things aside, the City has made some really great moves going into 2021. We are looking at major stormwater improvements and infrastructure changes, and Jarboe Park is underway.

Vice Mayor Jones expressed that despite everything, we have first-class staff in place. He is excited about a lot of opportunities. It's great to finally engage the community to be vocal about what is really important to them. Long overdue infrastructure is taking place and also the 90<sup>th</sup> Anniversary is in 2021.

Councilor Key commented there a lot of exciting things going on. She does share the concerns about density as many of the residents do. She feels that Neptune Beach is one of the greatest places. There are certain fabrics that should never change and there are fabrics that need change. She hopes that we can do positive things and listen to the community.

Adjournment

There being no further business, the meeting adjourned at 7:28 p.m.

  
Elaine Brown, Mayor

Attest:

  
Catherine Ponson, CMC  
City Clerk

Approved: 01-04-2021

