



## MINUTES WORKSHOP CITY COUNCIL VIRTUAL MEETING

**MONDAY, AUGUST 17, 2020, 6:00 P.M.**

Pursuant to proper notice a Workshop City Council Meeting of the City Council of the City of Neptune Beach was held on Monday, August 17, 2020, at 6:00 p.m., by Communications Media Technology, pursuant to Governor Executive Order Number 20-69, as extended by 20-112, 20-123, 20-139, 20-150, 20-179, and 20-193.

### Attendance

#### IN ATTENDANCE:

Mayor Elaine Brown  
Vice Mayor Fred Jones  
Councilor Kerry Chin  
Councilor Josh Messinger  
Councilor Scott Wiley

#### STAFF:

City Manager Stefen Wynn  
City Attorney Zachary Roth  
Police Chief Richard Pike  
Chief Financial Officer Carl LaFleur  
Community Development Director Kristina Wright  
Grants and Resiliency Coordinator Colin Moore  
Senior Center Director Leslie Lyne  
Public Works Director Leon Smith  
City Clerk Catherine Ponson

### Call to Order

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

Mayor Brown reported that there had been an outbreak of COVID-19 at City Hall. Everyone has been tested and are working from home to keep things running. We are on our way back on the path to getting back to normal.

### COMMITTEE REPORTS

### Land Use & Parks

Councilor Messinger reported that Jarboe Park is on track. Funding and permitting are in place. A committee meeting will be held the first week in September with grant funding being reviewed.

### Strategic Planning & Visioning

Vice Mayor Jones reported this meeting had been rescheduled for August 19<sup>th</sup>. This gives more time to develop the agenda and be ready for the survey review of the Vision Plan.

### Transportation & Public Safety

Vice Mayor Jones reported this committee met on August 6<sup>th</sup> at 9:30 a.m. The committee discussed developing a comprehensive capital improvements plan that would also be included in the updated comprehensive plan. This plan would allocate what we have going on over for the next five years. This will allow us to have really an established set of priorities ranging from everything a water treatment plant, sidewalks, road, paving, maintenance, stormwater system, and have it laid out with funding sources into the future. So at least we have a five-year CIP plan. The other item discussed was a request from the City of Jacksonville, for the intersection of King's Road in Florida Boulevard, to install a similar pedestrian hybrid beacon.

Finance/Boards/  
Charter Review

Committee Chairman Wiley reported the Finance Committee would be scheduled soon with department heads discussing requested budget items.

**PROPOSED ORDINANCE**Proposed  
Ordinance, Police  
Pension

Proposed Ordinance. 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 Code of Ordinances of the City of Neptune Beach; Amending Section 2-349.12, Minimum Distribution of Benefits; Amending Section 2-349.25, Reemployment After Retirement; Amending Section 2-349.27, Individual Member Share Accounts; Providing for Compliance with the SECURE Act; Providing for Codification; Providing for Severability of Provisions; Repealing All Ordinances in Conflict Herewith and Providing an Effective Date.

Pension Board Attorney Pedro Herrera explained that this addresses the situation that the Pension Board became aware of. The issue is with respect to the rehiring of the police chief. And so, as a qualified plan, a tax-exempt plan, there are certain requirements that have to abide the Internal Revenue Code. One of them is the in-service distribution requirement. An in-service distribution is when a pension fund makes a distribution of benefits to an individual who is still working in the same position that that they would otherwise be receiving those benefits for. An in-service distribution is not impermissible. However, the regulations provide that the plan must specifically provide, or allow for an in-service distribution.

We need to amend the ordinance in order to provide the ability for an in-service distribution for an individual who separates from service, returns to work and is continuing to be employed by the city in effectively the same position, but still allowed to receive their benefits. We recommend that we amend the ordinance to ensure compliance and make sure that our members not adversely affected.

Councilor Messinger requested City Attorney Zachary Roth would review the ordinance so two attorneys representing two sets of entities would have looked at it.

Made by Wiley, seconded by Messinger.

**MOTION:**     **TO MOVE THE PROPOSED PENSION ORDINANCE FORWARD FOR FIRST READ ON SEPTEMBER 8, 2020.**

Roll Call Vote:

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

Noes: 0

**MOTION CARRIED**Proposed  
Ordinance,  
Sidewalk  
Construction Fund

Proposed Ordinance, Sidewalk Construction Fund. Community Development Director Kristina Wright explained the City has instances where sidewalk sections would not be practical, whether that be for trees or construction or infrastructure improvements. Circumstances can occur that make sidewalk improvements less than feasible or practical. For example, often times situations arise where sidewalks do not exist or where infrastructure needs to be relocated. The strict requirement of the immediate implementation of sidewalks may not offer the solution featuring the best use of public or private resources to create desired sidewalk sections to promote increased walkability. A sidewalk construction fund can provide necessary relief and an alternative for all parties through the inclusion of flexibility that will promote the realization and implementation of a sustainable and efficiently implemented sidewalk network at the most appropriate time.

After Council discussion, it was decided that the proposed ordinance would go to the Transportation and Public Safety Committee to have more discussion and questions answered.

Vice Mayor Jones added that this is great for budgeting purposes, but he wants to make sure that the City is referencing the appropriate design standards for sidewalks and is consistent with the Florida Design manual.

#### ISSUE DEVELOPMENT

Pension  
Board  
Appointment

Police Officers' Retirement Fund Board Appointment. The fifth member of the Police Officers' Retirement Board is chosen by the four trustees and approved by resolution by Council. The vacancy will be advertised and any applications will be submitted to that Board.

Duval County  
Local Mitigation  
Strategy

Duval County Local Mitigation Strategy. As required by law, Duval County has updated its county Local Mitigation Strategy (LMS) Plan. This plan is required to be updated every five years, and the amendments are made with input from other governmental agencies as well as the private sector. The Local Mitigation Strategy provides the basis for mitigation planning and the associated grant funding for all of Duval County. A Resolution adopting the county plan is a requirement for Neptune Beach projects to be eligible for mitigation grant funding. A resolution to adopt this plan will be on the September 8, 2020, Council agenda.

Councilor Chin asked what part of the 400-page document we should be paying most attention to.

Grants and Resiliency Coordinator Colin Moore stated part of the document that pertains to any potential grant funding is the project list. This can actually be updated quarterly as this group hasn't been meeting because of COVID-19. There is an upcoming quarterly meeting and as we get more of our projects shovel ready, we will want to add.

Councilor Messinger commented that he wanted to highlight shovel ready because to get our projects to these programs we need to look at these funding sources.

A resolution to adopt this plan will be on the September 8, 2020, Regular Council meeting agenda.

#### PUBLIC COMMENT


City Manager Stefen Wynn reported that Chuck McCue had requested to speak at this meeting and did not show up on the attendee list.

#### COUNCIL COMMENTS

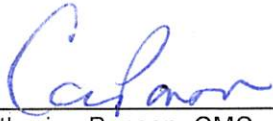
Mayor Brown commended City staff for their efforts during the outbreak of COVID-19 at City Hall.

Adjournment

There being no further business, the workshop meeting adjourned at 6:50 p.m.

  
Elaine Brown, Mayor

ATTEST:



Catherine Ponson, CMC  
City Clerk



Approved: 9-8-2020