

**MINUTES OF THE DATE NOVEMBER 7, 2017 REGULAR SESSION  
GREEN COVE SPRINGS CITY COUNCIL**

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**Call to Order**

The regular session of the Green Cove Springs City Council was called to order Tuesday, November 7, 2017, at 7:00 p.m. in the City Council Chambers, 321 Walnut Street, Green Cove Springs, Florida.

**Invocation and Pledge of Allegiance to the Flag**

The invocation was given by Bob Page, followed by the Pledge of Allegiance to the Flag of the United States of America.

**Roll Call**

**COUNCIL MEMBERS PRESENT:**

Steven Kelley  
Pamela J. Lewis  
B. Van Royal  
Constance W. Butler, Vice Mayor  
Roy M. Timberlake, Jr., Mayor

**STAFF MEMBERS PRESENT:**

L. J. Arnold, III, City Attorney  
Derek Asdot, Chief of Police  
Julia W. Clevinger, City Clerk  
Janis Fleet, Development Services Director  
Marlena Guthrie, Finance Director  
Danielle J. Judd, City Manager  
Mary Jane Lundy, Personnel Director  
Mike Null, Asst. City Mgr. / Public Works Dir.  
Scott Schultz, Asst. Water Utilities Director  
Kimberly Thomas, Exec. Asst. to the City Mgr.  
Steve Thomas, Asst. Public Works Director

**Mayor to call on members of the audience wishing to address  
the Council on matters not on the Agenda.**

Mayor Timberlake announced that he would address the public comments after the Awards and Recognitions.

**AWARDS AND RECOGNITION**

Mayor Timberlake requested a motion to approve the proclamations.

A MOTION WAS SO MADE BY VICE MAYOR BUTLER. THE MOTION WAS SECONDED BY COUNCIL MEMBER LEWIS. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

**1. Swearing In Ceremony Derek S. Asdot, Chief of Police**

Mayor Timberlake led Chief Asdot in the Oath of Office. Chief Asdot was joined by his wife, Angie, who held the bible, and his children. The Chief was joined by his parents-in-law and members of the Police Department for pictures. He recognized colleagues from local law enforcement and thanked the City Council for their support.

**2. Proclamation – Veterans Day**

Council Member Kelley read the Proclamation into the record (see attachment marked Exhibit “A”) and asked for all veterans from the audience to come forward. He presented it to Larry Hill, Commander of the VFW Post 1988, who thanked the City for the recognition.

**3. Proclamation – National Caregivers' Month**

Vice Mayor Butler read the Proclamation into the record (see attachment marked Exhibit “B”) and presented it to Mary Tuggles and Doris Jordan who thanked the City for the recognition.

**Mayor to call on members of the audience wishing to address  
the Council on matters not on the Agenda.**

Mayor Timberlake recognized the following for comments:

1. Sandra Royal, 3688 LaCosta Court, Green Cove Springs, who thanked the City for their support of the CalaVida Arts Festival. It was a great success and they are hoping to start planning with the City’s cooperation for monthly events to be held in Spring Park.
2. Eugene Francis, 615 Walburg Street, Green Cove Springs, and Henrietta Francis, 2439 Bonnie Lakes Drive, Green Cove Springs, who distributed a handout and gave an update on the Augusta Savage Program and Black History Month being planned by the Friends of Augusta Savage Community Center. Mr. Francis extended an invitation to the City Council to the kick-off event on November 30, 2017 at the Douglas Anderson School of the Arts in Jacksonville for Augusta Savage Arts Festival. The proceeds would benefit the Community Center. As such, he also requested the City Council consider a partnership with the Festival for financial assistance of the rental fees. The City Manager was requested to come back with financial support information related to park rental fees, street closures, Public Works staff time, and Police coverage for the events to be held starting in February.

## PUBLIC HEARINGS

1. **First Reading of Ordinance No. O-08-2017, an Ordinance modifying Water Rates - Fiscal Year (FY) 2017/2018. *L. J. Arnold, III, Mike Null, Danielle J. Judd***

Mr. Arnold read the title of Ordinance No. O-08-2017 into the record as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, MODIFYING WATER RATES BY AMENDING CITY CODE CHAPTER 78 UTILITIES, ARTICLE III – WATER SERVICE, DIVISION 3 - RATES AND CHARGES, SECTION 78-197 ENTITLED “WATER USAGE AND MONTHLY MINIMUM CHARGES”; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.**

Mayor Timberlake opened the Public Hearing. There being no comments, the Public Hearing was closed.

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO APPROVE ORDINANCE NO. O-08-2017 ON FIRST READING AS TO FORM ONLY AND AUTHORIZE SECOND AND FINAL READING ON DECEMBER 5, 2017. THE MOTION WAS SECONDED BY VICE MAYOR BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

2. **First Reading of Ordinance No. O-09-2017, an Ordinance modifying Wastewater Rates – Fiscal Year (FY) 2017/2018. *L. J. Arnold, III, Mike Null, Danielle J. Judd***

Mr. Arnold read the title of Ordinance No. O-09-2017 into the record as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, MODIFYING WASTEWATER RATES BY AMENDING CITY CODE CHAPTER 78 – UTILITIES, ARTICLE IV – SEWERS AND SEWAGE DISPOSAL, DIVISION 3 – RATES AND CHARGES, SECTION 78-297 ENTITLED “WASTEWATER RATES”; PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.**

Ms. Judd requested Mr. Null gave a brief history and overview of the Agenda Item. Jason Shepler, Mittauer & Associates, gave a PowerPoint presentation on the Wastewater System Improvements.

Mayor Timberlake opened the Public Hearing and recognized Douglas Mann, 3672 St. Andrews Court, Green Cove Springs, who expressed his opposition to the proposed rate increases for both water and wastewater. Mr. Mann felt the City should give a credit for lot acreage and watering grass. In addition, due to the local population explosion, he believed the increase should be an impact tax on new residents to account for the increase in fees.

There being no further comments, the Public Hearing was closed.

Mr. Null advised that the rate increases were not driven by population counts. They were driven by the rules and restrictions imposed on the City by the Florida Department of Environmental Protection. The current treatment plants, which were built in the 1970s, also did not contain the technology necessary to remove the nutrients to the levels required today. Mayor Timberlake commended the Public Works staff for their efforts over the years to retrofit the treatment plants and, as such, keeping the City in compliance. If the City failed to meet these nutrient restrictions as set by the State, the City would be issued a Consent Order and fines. Jason Shepler, Mittauer & Associates, provided an explanation on the impact fee nexus.

Acknowledging Council Member Royal's comments regarding the City's Impact Fees for Wastewater,

Mayor Timberlake re-opened the Public Hearing and recognized Connie McLaurin, 313 Harrison Street, Green Cove Springs, who expressed her opposition to the proposed rate increases citing the many residents who were living on fixed incomes.

There being no further comments, the Public Hearing was closed.

Council Member Lewis advised the audience that the City had held lots of meetings over the years and there were many years with no increases in rates. Due to the aging infrastructure and the requirements of FDEP, the City did not have much of a choice. The City Council was addressing the rate increases as thoughtfully as possible and they took everything into consideration.

Mr. Shepler reviewed the rates of CCUA, Orange Park, St. Johns County and JEA, noting the City's base rate was much lower along with the rate for use of less than 3,000 gallons.

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO APPROVE ORDINANCE NO. O-09-2017 ON FIRST READING AS TO FORM ONLY AND AUTHORIZE SECOND AND FINAL READING ON DECEMBER 5, 2017. THE MOTION WAS SECONDED BY VICE MAYOR BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

**3. Public Hearing for the Second and Final Reading of Ordinance No. O-10-2017, an Ordinance of the City of Green Cove Springs, Florida Amending the Future Land Use Map for .408 Acres of Property Located Off North Magnolia Avenue at Lamont Street, Identified as Tax ID # 017563-000-00 and TAX ID # 017563-004-00, More Particularly Described as Part of Lots 10, 12, & 14, Block 5, N.S. GCS From RLD, Residential Low Density to RPO, Residential Professional Offices; Providing for Severability; Repealer; and Setting an Effective Date. *L. J. Arnold, III, Janis Fleet***

Mr. Arnold read the title of Ordinance No. O-10-2017 (see attachment marked Exhibit "C") into the record as follows:

**AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA AMENDING THE FUTURE LAND USE MAP FOR .408 ACRES OF PROPERTY LOCATED OFF NORTH MAGNOLIA AVENUE AT LAMONT STREET, IDENTIFIED AS TAX ID # 017563-000-00 AND TAX ID # 017563-004-00, MORE PARTICULARLY DESCRIBED AS PART OF LOTS 10, 12, & 14, BLOCK 5, N.S. GCS FROM RLD, RESIDENTIAL LOW DENSITY TO RPO, RESIDENTIAL PROFESSIONAL OFFICES; PROVIDING FOR SEVERABILITY; REPEALER; AND SETTING AN EFFECTIVE DATE.**

Each City Council Member advised they had no ex parte communications to disclose. The City Clerk swore in those who would testify in this quasi-judicial proceeding.

Ms. Fleet gave a brief PowerPoint presentation on the Future Land Use of the subject property.

Mayor Timberlake opened the Public Hearing and recognized the following for comments:

1. Larry Sechrest (Applicant), 771 N. Magnolia Avenue, Green Cove Springs, who requested the City approve his application stating he did not believe anyone would want to build a home on the property at this location.
2. Troy Alward, 725 N. Magnolia Avenue, Green Cove Springs, who expressed his support of the land use change and compared this property to the restaurant (now closed) located at Bonaventure and Esplanade Avenues.
3. Bob Lewis, 203 North Street, Green Cove Springs, who expressed his support of the land use change stating he did not believe anyone would want to build a home on the property at this location.
4. L. J. Arnold, III, City Attorney, 718 N. Orange Avenue, Green Cove Springs, who provided the history of his personal ownership of the property.

There being no further comments, the Public Hearing was closed.

Council Member Royal expressed his concurrence to amend the Land Use.

Council Member Lewis expressed her desire to see the property developed as a Planned Unit Development (PUD) to give the City Council more control over the future development of the property.

A MOTION WAS MADE BY COUNCIL MEMBER ROYAL TO APPROVE AN ORDINANCE O-10-2017, AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA AMENDING THE FUTURE LAND USE MAP FOR .408 ACRES OF PROPERTY LOCATED OFF NORTH MAGNOLIA AVENUE AT LAMONT STREET, IDENTIFIED AS TAX ID # 017563-000-00 AND TAX ID # 017563-004-00, MORE PARTICULARLY DESCRIBED AS PART OF LOTS 10, 12, & 14, BLOCK 5, N.S. GCS FROM RLD, RESIDENTIAL LOW DENSITY TO RPO, RESIDENTIAL PROFESSIONAL OFFICES; PROVIDING FOR SEVERABILITY; REPEALER; AND SETTING AN EFFECTIVE DATE [AND AUTHORIZING THE SECOND AND FINAL READING ON DECEMBER 5, 2017]. THE MOTION WAS SECONDED BY COUNCIL MEMBER KELLEY. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – PAMELA J. LEWIS.

4. **Public Hearing for the Second and Final Reading of Ordinance No. O-11-2017, an Ordinance of the City of Green Cove Springs, Florida Rezoning for .408 Acres of Property Located Off North Magnolia Avenue at Lamont Street, Identified as Tax ID # 017563-000-00 and TAX ID # 017563-004-00, More Particularly Described as Part of Lots 10, 12, & 14, Block 5, N.S. GCS FROM R-1 TO RPO, Residential Professional Offices; Providing for Severability; Repealer; and Setting an Effective Date. *L. J. Arnold, III, Janis Fleet***

Mr. Arnold read the title of Ordinance No. O-11-2017 (see attachment marked Exhibit “D”) into the record as follows:

**AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA REZONING FOR .408 ACRES OF PROPERTY LOCATED OFF NORTH MAGNOLIA AVENUE AT LAMONT STREET, IDENTIFIED AS TAX ID # 017563-000-00 AND TAX ID # 017563-004-00, MORE PARTICULARLY DESCRIBED AS PART OF LOTS 10, 12, & 14, BLOCK 5, N.S. GCS FROM R-1 TO RPO, RESIDENTIAL PROFESSIONAL OFFICES, PROVIDING FOR REPEALER; SEVERABILITY; AND SETTING AN EFFECTIVE DATE.**

Each City Council Member advised they had no ex parte communications to disclose.

Ms. Fleet gave a brief PowerPoint presentation on the rezoning of the subject property.

Mayor Timberlake opened the Public Hearing and recognized Larry Sechrest, who stated he had no additional comments other than advised he would like to combine the two (2) parcels for development.

There being no further comments, the Public Hearing was closed.

A MOTION WAS MADE BY VICE MAYOR BUTLER TO APPROVE ON SECOND AND FINAL READING ORDINANCE NO. O-11-2017, AN ORDINANCE REZONING FOR .408 ACRES OF PROPERTY LOCATED OFF NORTH MAGNOLIA AVENUE AT LAMONT STREET, IDENTIFIED AS TAX ID # 017563-000-00 AND TAX ID # 017563-004-00, MORE PARTICULARLY DESCRIBED AS PART OF LOTS 10, 12, & 14, BLOCK 5, N.S. GCS FROM R-1 TO RPO, RESIDENTIAL PROFESSIONAL OFFICES, PROVIDING FOR REPEALER; SEVERABILITY; AND SETTING AN EFFECTIVE DATE. THE MOTION WAS SECONDED BY COUNCIL MEMBER KELLEY. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – PAMELA J. LEWIS.

**5. Public Hearing and approval of Resolution No. R-35-2017, a Resolution amending the Special Revenue Building Department Fund operating budget for Fiscal Year 2017.**  
*Marlena Guthrie*

Discussion ensued with the City Council regarding Resolution No. R-35-2017 (see attachment marked Exhibit “E”) which recognized unanticipated revenues and expenditures as of September 30, 2017 for the Special Revenue Building Department Fund as presented by Ms. Guthrie. She noted that budget adjustments must be made within 60 days following the end of the fiscal year since the adjustments would increase the bottom line of the budget. The adjustment increased the bottom line by \$130,273, or from \$274,270 to \$404,543. The increase was primarily due to building permitting in the Magnolia West and Magnolia Point Phase VIII subdivisions. In addition, Ms. Guthrie advised that the Development Services Clerk was inadvertently charged at 100% in Development Services during the payroll process. She would make a journal entry to reclass 50% to the Building Fund as provided in the adopted budget.

Mayor Timberlake opened the Public Hearing. There being no comments, the Public Hearing was closed.

A MOTION WAS MADE BY VICE MAYOR BUTLER TO APPROVE RESOLUTION NO. R-35-2017 AMENDING THE 2017 OPERATING BUDGET FOR THE SPECIAL REVENUE BUILDING DEPARTMENT FUND PER EXHIBIT “A”. THE MOTION WAS SECONDED BY COUNCIL MEMBER LEWIS. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

**6. Public Hearing and approval of Resolution No. R-36-2017, a Resolution amending the General Fund and Spring Park Capital Improvement Fund operating budgets for Fiscal Year 2017. *Marlena Guthrie***

Discussion ensued with the City Council regarding Resolution No. R-36-2017 (see attachment marked Exhibit “F”) which recognized unanticipated revenues and expenditures as of September 30, 2017 for the General Fund and Spring Park Capital Improvement Fund as presented by Ms. Guthrie. The adjustment increased the bottom line by \$500,000, or from \$1,638,122 to \$2,138,122. The increase was to cover the additional expenditures needed to complete the Historic Spring Park Pool capital project.

Mayor Timberlake opened the Public Hearing. There being no comments, the Public Hearing was closed.

A MOTION WAS MADE BY COUNCIL MEMBER KELLEY TO APPROVE RESOLUTION NO. R-36-2017, A RESOLUTION AMENDING THE 2017 OPERATING BUDGETS FOR THE GENERAL FUND AND SPRING PARK CAPITAL IMPROVEMENT FUND PER EXHIBIT “A”. THE MOTION WAS SECONDED BY VICE MAYOR BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

**7. Public Hearing and approval of Resolution No. R-37-2017, a Resolution amending the Disaster Fund, General Fund and Electric Fund operating budgets for Fiscal Year 2017. *Marlena Guthrie***

Discussion ensued with the City Council regarding Resolution No. R-37-2017 (see attachment marked Exhibit “G”) which recognized unanticipated revenues and expenditures as of September 30, 2017 for the Disaster Fund, General Fund and Electric Fund operating budgets for Fiscal Year 2017 as presented by Ms. Guthrie. The adjustment increased the bottom line by \$394,143, or from \$8,530,000 to \$8,894,143. Due to expenses continuing into FY 2017-2018 for Hurricane Irma, she would need to bring forth another Resolution in 2018 for another budget amendment for the Disaster Fund. As of this date, no funds had yet to be received from FEMA for Hurricane Matthew. A meeting with FEMA was scheduled for next week on Hurricane Matthew. It was necessary to transfer funds from the General Fund and the Electric Utility for some of the expenses for which she did not anticipate FEMA would reimburse the City. In addition, there was an increase in electric sales which prompted an increase for the cost of power.

Mayor Timberlake opened the Public Hearing. There being no comments, the Public Hearing was closed.



A MOTION WAS MADE BY VICE MAYOR BUTLER TO APPROVE RESOLUTION NO. R-37-2017 AMENDING THE 2017 OPERATING BUDGETS FOR THE DISASTER FUND, GENERAL FUND, ELECTRIC FUND PER EXHIBIT "A". THE MOTION WAS SECONDED BY COUNCIL MEMBER LEWIS.

Mayor Timberlake requested the City Manager draft a letter to the Governor and FEMA regarding how inappropriate he believed it was to delay the reimbursement to the City a year after Hurricane Matthew.

THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

### CONSENT AGENDA

1. **City Council approval of the Minutes for the Regular Sessions on September 5, September 19, October 3, and October 17, 2017 and the Special Sessions on September 12 and October 17, 2017.**
2. **City Council approval of the Docking Schedule for American Cruise Lines for 2018.**
3. **City Council approval of a State Lobbyist Services Agreement with The Fiorentino Group, LLC in the amount of \$15,000 for the period retroactive to October 1, 2017 through September 30, 2018.**
4. **City Council approval of the Unaudited FY 2017 Revenues and Expenditures Report and the Quarterly Investment Report for the period ending September 30, 2017.**
5. **City Council approval of FDEP SRF Disbursement #6 and Mittauer and Associates invoice # 17395 in the amount of \$202,500.00.**
6. **City Council approval of a Purchase Order in the amount of \$29,145.00 to AAG Environmental for remediation of soil and slab at the decommissioned Roderico Road substation per FMPA blanket contract.**
7. **City Council approval for Payment No. 3 to Mittauer and Associates for construction administration and construction inspection services for the North Grid Reclaimed Water Main in the amount of \$12,500.**
8. **City Council approval of Change Order No. 2 in the amount of \$234,427.35 to Commercial Industrial Contractors (CIC) on the North Grid Reclaimed Water Main Project to construct a reclaimed water main extension from the intersection of US 17 / CR 209 (Russell Road), to the Black Creek Village subdivision.**
9. **City Council approval for Payment No. 3 to Commercial Industrial Contractors (CIC) for the North Grid Reclaimed Water Main in the amount of \$395,670.68.**
10. **City Council approval of the 2017 Annual Christmas on Walnut Street (COWS) and 50th Annual Christmas Parade Co-Sponsorship Request for December 2, 2017.**
11. **City Council approval to surplus electric transformers and dispose of them in the best interest of the City.**
12. **City Council approval to purchase electric supplies necessary to provide electric power to the Black Creek Village Subdivision in the estimated amount of \$120,000.00.**

13. **City Council approval for up to \$65,000.00 to Aubrey Silvey Inc., in the electric department operating budget for substation testing and maintenance services per FMPA Bid Item # 2017-34.**
14. **City Council approval of a Purchase Order to Hooper Corporation in the amount of \$55,250.00 for upgrades and repairs at the Chapman Substation.**
15. **City Council approval of a purchase order to Davey Tree Company in the amount of \$133,120.00 for Tree Trimming and Vegetation Management for FY 18, piggybacking on the hourly rate from the contract with Mt. Dora.**
16. **City Council approval of a purchase order to Davey Tree in the amount of \$33,592.00 for additional tree-trimming on US 17 North.**
17. **City Council approval for funding to Jeff's Excavating in the amount of \$227,248.80 for repair and relocation of the water main at the intersection of SR 15 (US 17) and SR 16.**
18. **City Council approval for funding for utility pole inspections in the amount of \$35,000.00 to Power Pole Maintenance Company per FMPA, RFP # 2016-200.**

Vice Mayor Butler pulled Consent Agenda Item No. 1 for discussion.

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO APPROVE THE CONSENT AGENDA ITEMS WITH THE EXCEPTION OF ITEM NO. 1. THE MOTION WAS SECONDED BY COUNCIL MEMBER KELLEY. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

**Consent Agenda Item No. 1** – Vice Mayor Butler advised she had discovered a scrivener's error in the minutes of the special session on October 17, 2017. She had spoken to the City Clerk and the error had been corrected and would be reflected on the final set to be signed by the Mayor.

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO APPROVE THE CONSENT AGENDA ITEM NO. 1 [WITH THE NOTED CORRECTION]. THE MOTION WAS SECONDED BY COUNCIL MEMBER ROYAL. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

In response to Vice Mayor Butler's inquiry, Mr. Null advised that if the PCB level in the oil was over .50 in the transformer, the City would have to pay for disposal costs. The transformers being surplussed did not contain PCBs. This was the most cost-effective way for the City to recoup its costs.

## COUNCIL BUSINESS

### 1. **Annexation Update. *Janis Fleet***

Discussion ensued with the City Council regarding an update on the Annexation progress via a PowerPoint as presented by Ms. Fleet. She introduced Brenna Durden who had been assisting the City with the annexation process. City Staff had been working with the St. Johns Landing property owners and the private residents. Ms. Judd requested the City Council provide a policy decision to proceed or not with the annexation of the St. Johns Landing and surrounding properties (80 acres). Ms. Fleet strongly believed the City would feel the impact of the future redevelopment regardless of whether or not it was under the purview of the City or the County. If it was not under the jurisdictional control of the City, those land use decisions made by the County would impact the City. This was a major item to be thinking of for the future of the City. Ms. Judd advised the County Manager and Commission Chairman had been notified this item would be on the Agenda.

Further discussion included the following points:

- The City provided electric and wastewater utility services;
- This would allow proactive policing of the area;
- Costs to the City including roads, police, etc.;
- Talk of redevelopment for the past 30 years;
- Roads and Stormwater are under private control;
- Maintenance of Cemetery would remain with the County?;
- Annexation Report would include what is maintained and by whom;
- Current assessed value is over \$10 million;
- The property Owners had stated in the past that they would provide funds for an additional Law Enforcement Officer;
- The City Manager's request of City Council for a decision to move forward or not;

Mayor Timberlake advised that Commissioner Cella had been non-committal and was in the process of fact-finding and questioning the ownership of the cemetery.

Mayor Timberlake recognized Joe Sobotta, 212 North Street, Green Cove Springs, who agreed with Council Member Royal's comments regarding the St. John's Landing property being a money pit and questioned the cost factor versus the return on investment to the City.

In addition, Ms. Judd explained that this annexation had been addressed by previous City Councils with Staff being directed to move forward.

Council Member Royal wanted to see a real plan or commitment by the property owner. In response to Council Member Royal's comments, Ms. Fleet recounted the property owner had approached the City. She and the City Attorney had met with the property owner and their attorney regarding a plan and feasibility study.

Mayor Timberlake reminded this Agenda item was only to authorize City Staff with direction to proceed with the process of annexation to identify the issues, to find out what the terms would be of an annexation agreement, and to come back with a full report. Furthermore, he recalled a particular developer that had talked about converting the former Fred Davis dealership property to businesses and residences which had not happened for a while. However, it was now being developed, in addition to the Ace Hardware property, the Rich's Bar-B-Que property. He believed it would be very short-sighted on the City's part not to think development was going to come this way. No one had a crystal ball; however, it was known that riverfront property was valuable and very attractive.

Council Member Royal countered that it had not cost the City anything for the Fred Davis property to sit vacant. He believed that there was an absolute dollar value to the City.

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO AUTHORIZE AND DIRECT STAFF TO INITIATE FORMAL PROCEDURES FOR ANNEXATION OF THE ST. JOHNS LANDING, AREA 6, IN ACCORDANCE WITH STATE STATUTORY PROVISIONS, INCLUDING WITHOUT LIMITATION, REPORT PREPARATION, PUBLIC NOTICE, REQUIRED ADVERTISEMENTS, MAILINGS AND PUBLIC HEARINGS. THE MOTION WAS SECONDED BY VICE MAYOR BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – B. VAN ROYAL.

Under further discussion, Ms. Fleet assured Council Member Kelley that more “pieces of the puzzle” would be presented to the City Council in the future. In response to Council Member Royal's request for a copy of the development plans, Ms. Judd reminded Council Member Royal that this vote was only to provide direction to City Staff. The various reports and ordinances would be developed; however, she did not believe she would be able to have a finished Annexation Agreement ready for the City Council simultaneously with Annexation Adoption Ordinance. The Annexation Agreement would contain the terms and should be completed prior to the second and final reading of the Ordinance. Council Member Royal repeated he wanted to see the plans previously mentioned by Ms. Fleet. Ms. Judd noted that a prospectus for a land use change previously submitted by the property owner would be forwarded to the City Council the next day.

**2. FMPA Report - October 2017. Bob Page**

Discussion ensued with the City Council regarding the FMPA Report for October 2017 as presented by Mr. Page.

In addition, Mr. Page provided information regarding the following:

- \$36,000 in Conservation Fund to help residents finance energy conservation efforts;
- Vero Beach:
  - \$108 million in funds to be used to pay down debt and to offset rate impacts of having 50-51 megawatts excess power (\$76 million) from Vero Beach which was being driven by gas prices;
  - The City would be waiving their right to get the same benefits that Vero Beach is getting in being able to sell their utility (most favored nation clause);
  - There will be two (2) Resolutions for the City Council to vote on the December 5<sup>th</sup> Agenda; Mr. Williams would be here.
- Solar Power Project – FMPA has received enough commitments for a 75MW farm; working on commitments for a 2<sup>nd</sup> 75MW farm.

After further discussion, Ms. Judd advised that Staff would meet with Mr. Williams on December 5<sup>th</sup> prior to the Council meeting. She truly believed there would be a utility to court the City system. The City would have to address the location of the Chapman Substation and not being declared as a transmission/owner operator.

Finally, Mr. Page advised the City Council that he agreed with their approval of the proposed annexation plans discussed earlier. He recounted the County's attempts two (2) years ago to allow adult entertainment at the City's doorstep. He believed, even if there was a little bit of cost involved, it was the most important thing, and to City's benefit, to be able to control that property. He recalled 30 years ago that no one would have predicted that Magnolia Point would have ever represented half of the City's tax base.

### **3. Establishment of Vision Session in 2018. *Danielle J. Judd***

Discussion ensued with the City Council regarding the establishment of a date for a Vision Session in 2018 as presented by Ms. Judd.

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO SCHEDULE THE DATE IN 2018 FOR MARCH 3<sup>RD</sup> FOR A SATURDAY VISION, DIRECT THE ADMINISTRATION TO ENGAGE A FACILITATOR FOR THE SESSION, AND PLAN FOR PUBLIC NOTICE ON MARCH 3, 2018. THE MOTION WAS SECONDED BY VICE MAYOR BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

**4. City Council review of Priority List for the Clay County Legislative Delegation. *Danielle J. Judd***

Discussion ensued with the City Council regarding review of a priority list for the Clay County Legislative Delegation as presented by Ms. Judd. The City Council agreed to the following items:

- City Pier;
- Transportation and Economic Development;
- Home Rule;
- Property Taxes (Ad valorem);
- FDOT – Golf Cart access over Governor’s Creek
- 

Council Member Royal expressed his displeasure with the State Legislature citing the opposition to Home Rule and believing that it was in the best interests of communities to govern their own residents. He questioned why Tallahassee would feel they could run the City of Green Cove Springs when they did not like being governed by the Federal government. He felt a stronger voice was needed in Tallahassee.

Mayor Timberlake contended that the City needed to let the City’s Representatives know that if they continued to vote for things that usurp the City’s authority, the City would work against them in the upcoming elections. He had Representatives tell him that they had to support the Speaker’s agenda and he had to remind them that they work for the City and not the Speaker.

Mayor Timberlake requested a motion to approve the list of priorities as presented, plus Home Rule, and plus comments to Rep. Cummings to obtain his support for widening of U.S. 17 at the Governor’s Creek bridge.

A MOTION WAS SO MADE BY VICE MAYOR BUTLER. THE MOTION WAS SECONDED BY COUNCIL MEMBER KELLEY. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

**5. Allocation of Public Works Resources: Assistant Public Works Director and Parks & Recreation Director. *Mike Null, Danielle J. Judd***

Discussion ensued with the City Council regarding allocation of Public Works resources for the positions of Assistant Public Works Director and Parks & Recreation Director as presented by Ms. Judd and Mr. Null. Ms. Judd also clarified that this position did not have anything to do with Special Events and special activities as they were handled out of the

City Manager's office. The Communications Coordinator position from the Council's budget would work closely with these positions.

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO:

- (1) APPROVE THE PARKS & RECREATION DIRECTOR JOB DESCRIPTION;
- (2) AUTHORIZE THE ADMINISTRATION TO BEGIN RECRUITMENT IN 2018 FOR THIS POSITION;
- (3) UTILIZE AVAILABLE FUNDS FROM THE VACANT FIELD SUPERVISOR POSITION TO FUND THIS PERSONNEL ACTION; AND
- (4) ELIMINATE THE AUTHORIZATION TO FILL THE VACANT FIELD SUPERVISOR FROM THE FY 18 BUDGET.

THE MOTION WAS SECONDED BY COUNCIL MEMBER ROYAL. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

**6. City Manager and City Attorney Reports and/or Correspondence.**

The City Manager and City Attorney made comments regarding various city activities, events, operations, and projects.

Mr. Arnold advised the City Council of the procedures of the mediation with Core Construction.

**7. City Council Reports and/or Correspondence.**

The City Council made comments regarding various city activities, events, operations, and projects.

Mayor Timberlake requested the Job Description for the Communications Coordinator position be placed on the December 5<sup>th</sup> Agenda.

**Adjournment.**

There being no further business to come before the City Council, the meeting was adjourned at 10:50 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

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Roy M. Timberlake, Jr., Mayor

Attest:

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Julia W. Clevinger, City Clerk