

**MINUTES OF THE JANUARY 24, 2017 REGULAR SESSION
GREEN COVE SPRINGS CITY COUNCIL**

Call to Order

The regular session of the Green Cove Springs City Council was called to order Tuesday, January 24, 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 Council Member Royal followed by the Pledge of Allegiance to the Flag of the United States of America.

Roll Call

COUNCIL MEMBERS PRESENT:

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

STAFF MEMBERS PRESENT:

L. J. Arnold, III, City Attorney
Julia W. Clevinger, City Clerk
Janis Fleet, Development Services Director
Marlena Guthrie, Finance Director
Danielle J. Judd, City Manager
Mary Jane Lundy, Interim Personnel Director
Robert Musco, Chief of Police
Mike Null, Asst. City Mgr. / Public Works Dir.

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

There were none.

PUBLIC HEARINGS

- 1. Second and final reading of Ordinance No. O-01-2017, to further streamline the process for approval of leases within the Augusta Savage Arts and Community Center ("ASACC") and other City property. *Arnold / Judd***

Mr. Arnold read the title of Ordinance No. O-01-2017 (see attachment marked Exhibit "A") into the record as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AUTHORIZING THE LEASING OF CITY OWNED REAL PROPERTY; PROVIDING FOR TERMS AND CONDITIONS TO BE APPROVED BY CITY COUNCIL RESOLUTION; PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

Mr. Arnold reminded the City Council that the language had been amended to include City owned real property instead of just the ASACC.

Mayor Lewis open the Public Hearing. There being no comments, the Public Hearing was closed.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE ORDINANCE NO. O-01-2017 TO STREAMLINE THE PROCESS FOR APPROVAL OF LEASES WITHIN THE AUGUSTA SAVAGE PARKS COMMUNITY AND OTHER CITY PROPERTY [ON SECOND AND FINAL READING]. THE MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS CONSTANCE W. BUTLER, STEVEN R. KELLEY, B. VAN ROYAL, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE.

2. Second and Final Reading of Ordinance No. O-02-2017, an Ordinance authorizing the borrowing of \$165,887.00 to finance acquisition of a 2018 Freightliner MZ106 Recycle Truck. *Arnold*

Mr. Arnold read the title of Ordinance No. O-02-2017 (see attachment marked Exhibit “B”) into the record as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AUTHORIZING THE LEASING WITH OPTION TO BUY A 2018 FREIGHTLINER MZ106 WITH FUNDS TO BE BORROWED FROM MERCEDES-BENZ FINANCIAL SERVICES USA, LLC IN THE AMOUNT OF \$165,887.00; AUTHORIZING THE EXECUTION BY CITY OFFICIALS OF ALL NECESSARY LOAN AND LEASE DOCUMENTS; PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

Mayor Lewis open the Public Hearing. There being no comments, the Public Hearing was closed.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE ORDINANCE NO. O-02-2017 AUTHORIZING THE BORROWING OF \$165,887 TO FINANCE ACQUISITION OF FREIGHTLINER MZ106 RECYCLE TRUCK [ON SECOND AND FINAL READING]. 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 CONSTANCE W. BUTLER, STEVEN R. KELLEY, B. VAN ROYAL, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE.

4. First Reading of Ordinance No. O-03-2017, an Ordinance of the City of Green Cove Springs, Florida, amending City Code Section 98, Article VI – Landscaping and Section 98, Article VII – Trees; to Modify the Landscaping and Tree Protection Requirements; and Providing For Repealer, Severability, and Setting an Effective Date. Arnold / Fleet

Mr. Arnold read the title of Ordinance No. O-03-2017 into the record as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AMENDING CITY CODE SECTION 98, ARTICLE VI - LANDSCAPING AND SECTION 98, ARTICLE VII – TREES; TO MODIFY THE LANDSCAPING AND TREE PROTECTION REQUIREMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN EFFECTIVE DATE.

Mayor Lewis open the Public Hearing. There being no comments, the Public Hearing was closed.

Discussion ensued with the City Council regarding the proposed changes, the committee members who had reviewed the proposed changes, and if this item had been disseminated and promoted within the community. Ms. Fleet explained that committee had consisted of herself, Mike Null, Kelly Hartwig representing the developers, Urban Forestry Division, Pat's Nursey, and Sandra Royal with the Garden Club. The bulk of the changes were simple clarifications to make it easier to read and follow.

Council Member Royal did not think the community was aware of the proposed changes. Ms. Fleet advised that the Second and Final Reading of the Ordinance had been pushed back to February 21st. As such, it was suggested that a community meeting be scheduled for the opportunity to receive public comments. Ms. Judd also noted that this had already been presented to the Planning and Zoning Board with no public comments received.

A MOTION WAS MADE BY COUNCIL MEMBER ROYAL TO ACCEPT ON FIRST READING ORDINANCE NO. O-03-2017, AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS AMENDING THE CITY CODE SECTION 98, ARTICLE VI – LANDSCAPING AND SECTION 98, ARTICLE VII – TREES; TO MODIFY THE LANDSCAPING AND TREE PROTECTION REQUIREMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE FOR SECOND PUBLIC HEARING ON FEBRUARY 21ST AND THAT WE WILL TRY TO HAVE A MEETING OF THE PUBLIC IN BETWEEN. THE MOTION WAS SECONDED BY VICE MAYOR TIMBERLAKE. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS CONSTANCE W. BUTLER, STEVEN R. KELLEY, B. VAN ROYAL, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE.

CONSENT AGENDA

1. **City Council approval to sell advance tickets for the 2017 Clay County Agricultural Fair from February 1, 2017 through March 30, 2017.**
2. **City Council approval of the 2016 Annual Christmas on Walnut Street (COWS) After-Action Report.**
3. **City Council approval of Extension to Skanska Construction Management Services in the amount of \$9,148 for Spring Park Pool Capital Project.**
4. **City Council approval of Pay Request No. 1 in the amount of \$7,224 to Skanska under \$23,480 Engagement for Construction Management Services for Spring Park Pool Capital Project.**
5. **City Council approval for expenditure of funds to purchase a new Recycle Truck in the amount of \$165,887.**
6. **City Council approval of 2016-PZ-64, Gateway Corridor and Central Business District Matching Grant Application for a Monument Sign for the Property located at 545 Palmetto Avenue for Stewart Electric.**
7. **City Council approval of Extension to Matthews Design Group in the not-to-exceed amount of \$15,000 for Construction Inspection Services for the Spring Park Pool Capital Project.**
8. **City Council approval of Pay Request No. 9 in the amount of \$2,423.05 to Matthews Design Group, Inc., under new Contract Value of \$50,000, for the Historic Spring Park Pool & Interactive Water Feature Project Construction Inspection Services.**
9. **City Council approval of Pay Request No. 2 in the amount of \$14,961.00 to CHW, under Contract Value of \$42,650.00 for Construction Inspection Services related to the Citizen Street HMGP Stormwater Improvements Project.**
10. **City Council approval to award of Bid No 11-16-07, Tree Trimming & Removal Services, Taylor Tree Services, Inc.**
11. **Ratification by Board of Trustees of the Police Pension Plan – Compliance with Florida Statutes Chapter 185.**

Vice Mayor Timberlake requested to pull Item No. 2 for discussion.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE CONSENT AGENDA ITEMS 1, 3, 4, 5, 6, 7, 8, 9, 10, AND 11 AS LISTED ABOVE. THE MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS CONSTANCE W. BUTLER, STEVEN R. KELLEY, B. VAN ROYAL, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE.

Consent Agenda Item No. 2 – Vice Mayor Timberlake commended the great job done by the Business League for Christmas on Walnut Street. He expressed his desire to see the business owners on Highway 17, Walnut Street, and adjoining streets to add white lights to their buildings during the holiday season. Council Member Royal concurred stating it would attract attention to downtown.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE CONSENT AGENDA ITEM NO. 2 AS LISTED ABOVE. THE MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS CONSTANCE W. BUTLER, STEVEN R. KELLEY, B. VAN ROYAL, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE.

COUNCIL BUSINESS

Mayor Lewis advised that Council Business Item No. 2 would be moved to the beginning of the Council Business Agenda.

2. Probable Cost for Construction of New Library Building on Augusta Savage Arts & Community Center (ASACC) Campus. *Judd*

Discussion ensued with the City Council regarding the probable cost for construction of a new Library Building on the Augusta Savage Arts & Community Center (ASACC) Campus as presented by Ms. Judd. It was the consensus of the City Council that the project needed to move forward and be completed. However, for the City Council to make a decision, a plan was needed for this project. In addition, more information was needed regarding funding availabilities and opportunities, preparation of bid documents, and prioritization of CIP Projects. It was suggested that this item be tabled and the City Manager bring this item back on the February 7th Agenda.

Mayor Lewis recognized Felecia Hampshire, 508 Franklin Street, Green Cove Springs, who expressed her appreciation to the City Council for their support of this project. Ms. Hampshire also expressed her concerns and disappointment related to the enhancement of the Core City which she felt had been put on the back burner.

Mayor Lewis recognized Joe Sobotta, 212 North Street, Green Cove Springs, who expressed his concerns regarding the City's desire to save and rehab old run-down buildings versus demolishing them and building brand new state of the art buildings and the lack of community involvement to raise funding for the project.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO TABLE THIS ITEM FOR TWO WEEKS TO GIVE THE CITY MANAGER AND STAFF TIME TO COME BACK WITH AN OVERVIEW OF WHICH PROJECTS WILL BE AFFECTED, HOW DO WE HANDLE ON A GO FORWARD BASIS AND WHERE THE \$131K AND CHANGE COMES FROM. THE MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS CONSTANCE W. BUTLER, STEVEN R. KELLEY, B. VAN ROYAL, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE.

Mayor Lewis recognized Felecia Hampshire, 508 Franklin Street, Green Cove Springs, who expressed her displeasure at Mr. Sobotta's reference to the "African American community" and stated she would like to see the references be made to the City as one community. Mayor Lewis reiterated that this was one City and one Community.

1. Green Cove Springs 4 kV Electric Distribution System Conversion Capital Project with Hooper Corporation. Judd

Discussion ensued with the City Council regarding the Green Cove Springs 4 kV Electric Distribution System Conversion Capital Project with Hooper Corporation as presented by Ms. Judd. She introduced David Miller, Dick Miller, Gary Shortridge, and Sean Anderson in the audience. Ms. Judd was requesting the City Council invoke Section 7 of the contract with Hooper Corporation. Labor costs would be approximately \$526,000 and \$42,000 in materials. Staff had also been stockpiling materials. The Electric Department had approximately \$2.5 million in unrestricted funds; however, the City Manager would require a budget amendment later in the fiscal year.

Mr. Shortridge explained that the project would take 4 ½ to 5 months to complete. It would help with reliability and line losses on an electric distribution system that was now over 60 years old.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO (1) AUTHORIZE HOOPER CORPORATION TO UNDERTAKE THE 4KV CONVERSION CAPITAL PROJECT EFFECTIVE FEBRUARY 1ST FOR A NOT TO EXCEED AMOUNT OF \$526,750 TO BE COMPLETED WITHIN FIVE (5) MONTHS FROM NOTICE TO PROCEED; (2) TO APPROVE UP TO AN ADDITIONAL \$42,000 FOR MATERIALS AND SUPPLIES TO BE PURCHASED BY THE CITY; AND (3) TO INVOKE SECTION 7 OF OUR CONTRACT WITH HOOPER TO DECLARE A PUBLIC PURPOSE AND THAT IT MEETS IN THIS INSTANCE ONLY THE BEST INTERESTS OF THE CITY TO DO SO; AND THAT ADDITIONAL FUNDING FOR THIS WILL COME OUT OF UNRESTRICTED RESERVES. THE MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS CONSTANCE W. BUTLER, STEVEN R. KELLEY, B. VAN ROYAL, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE.

Vice Mayor Timberlake also requested the City Manager be cognizant of the costs to put the utilities underground and start considering it on a go forward basis. Ms. Judd noted, with confirmation from Mr. Shortridge, it would cost approximately \$1 million per linear mile.

2. Probable Cost for Construction of New Library Building on Augusta Savage Arts & Community Center (ASACC) Campus. Judd

See above.

3. Council review and related action regarding LDR Interpretation 2017-01, related to a Special Exception for Building Trades Contractor with Outside Storage Yard and Heavy Construction Equipment in the C-2 Zoning Category. Fleet

Discussion ensued with the City Council regarding LDR Interpretation 2017-01, related to a Special Exception for Building Trades Contractor with Outside Storage Yard and Heavy Construction Equipment in the C-2 Zoning Category as presented by Ms. Fleet.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO ACCEPT LDR INTERPRETATION 2017-01 AND DIRECT THE ADMINISTRATION TO OPEN A DIALOGUE FOR A CITY INITIATED FUTURE LAND USE ZONING CHANGE FOR THE PROPERTIES ALONG THE SOUTH SIDE OF LEONARD C. TAYLOR PARKWAY. 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 CONSTANCE W. BUTLER, STEVEN R. KELLEY, B. VAN ROYAL, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE.

4. Legislative Delegation Meeting – January 30, 2017. Judd

Discussion ensued with the City Council regarding the Legislative Delegation Meeting scheduled for Monday, January 30, 2017 as presented by Ms. Judd. Further discussion included derelict vessels, funds to purchase the Clay Theater and adjoining property, canoe launches on riverfront, the City Pier, and the Augusta Savage Arts and Community Center.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE THE LIST SUBMITTED PER THE CITY MANAGER; THAT SHE WILL COME BACK WITH THE LISTED PRESENTATION ON THE 30TH AND BACK-UP MATERIAL AS REQUIRED. THE MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS CONSTANCE W. BUTLER, STEVEN R. KELLEY, B. VAN ROYAL, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE.

Mayor Lewis recognized Joe Sobotta, 212 North Street, Green Cove Springs, who expressed his concerns regarding the citizens of Florida that voted for legislature funds for restoring the springs and river. Council Member Royal noted that a majority of that money was redirected to other projects.

Mayor Lewis recognized Scott Smith, 600 St. Johns Avenue, Green Cove Springs, who expressed his desire to see the City bring new businesses to Green Cove Springs specifically Burger King or Zaxby's. Mayor Lewis advised that Ms. Fleet would talk to him about what businesses may be coming to the City.

5. City Manager Employment Agreement. *Mayor Pamela J. Lewis*

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

6. Review and Discussion of City Clerk's Evaluation Results and Related Action. *Lundy*

Discussion ensued with the City Council regarding review and discussion of the City Clerk's Evaluation results as presented by Ms. Lundy.

Mayor Lewis recommended bringing the City Clerk's salary up to the minimum of the pay plan because she is already doing this job and has been doing this job. This would be a 2.3% increase. Council Member Royal noted that Ms. Clevinger had always exceeded his expectations. In response to Council Member Royal's question, Mayor Lewis stated she believed that she should be paid for the job she was already doing. Ms. Lundy also explained the change in the minimum to the pay plan. Council Member Royal felt any increase should be taken up during the budget process and when she fulfills the parameters set in 2016. He commended Ms. Clevinger's efforts have been more than admirable.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO ACCEPT THE REPORT AS IT WAS; THAT WE LOOK AT THE 2.3% INCREASE WHEN JULIE GETS THE AA BECAUSE I THINK THAT IS WHERE WE ARE AT AS THE REQUIREMENTS FOR THE JOB; WHEN SHE GETS THAT, SHE SHOULD BE BROUGHT UP TO THE MINIMUM AND THEN IF THE MINIMUMS CHANGE AT BUDGET TIME, THEN WE LOOK AT IT AND MAKE DECISIONS THEN. THE MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS CONSTANCE W. BUTLER, STEVEN R. KELLEY, B. VAN ROYAL, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE.

Vice Mayor Timberlake asked the City Attorney regarding the wide varieties of responses to items on the evaluation criteria and if it would be appropriate for Council Members to talk with Ms. Clevinger about areas where they rated her and why they saw things that way. Mr. Arnold advised the Council that they hired Julie and they each had an open line of communication with her. Vice Mayor acknowledged that she had five (5) bosses and felt it would be nice to sit with her individually and talk about how they rated and why and areas where they think she may need improvements. Council Member Royal thought she had done an excellent job and far exceeded the requirements. Mayor Lewis thought she did a really great job and did everything fast too. Council Member Royal acknowledged that he did not have knowledge in some of the areas and it was hard for him to comment one way or another.

7. 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 reminded the City Council of the passage of Ordinance No. O-01-2016 that proposed amendments to City Charter Sections 7.07 and 7.08 as it related to City elections. He noted that last year, because the three (3) candidates ran unopposed, there was no City election and therefore, the Amendments did not proceed. With the upcoming election in April, it was noted that if the two (2) seats ran unopposed again, the cost for a mail ballot election, as recommended by the City Clerk, could run approximately \$5,000-\$6,000. If the City Council decided to wait to place the Charter Amendments on the ballot at the next regular election as stated in the Ordinance, it would not be until 2019. As such, Mr. Arnold inquired as to whether or not the City Council wanted to incur the expense of a mail ballot election for the two (2) Charter Amendments only if there were to be no election again this year. Ms. Clevinger also advised that the next Charter Review Committee was scheduled to convene in the fall of 2018 which meant any proposed changes would be placed on the ballot in 2019. It was the consensus of the City Council to delay placing the proposed Amendments on the ballot until the 2019 City election should the current seats run unopposed in the April 2017 election. However, if candidates did run for office, then the Amendments should be placed on the 2017 ballot.

Ms. Judd gave a brief update on the mural project and her meeting with Amy Stump.

Chief Musco advised that the traffic lights at Highway 17 and S.R. 16 had been re-timed due to increased traffic flow at the intersection.

8. City Council Reports and/or Correspondence.

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

Council Member Royal advised that he should have recused himself from the vote on an item on the 01/10/17 Consent Agenda. K & V has been dissolved; however, both he and Mr. Hartwig owned interest in the Buick site and he felt they may be considered as business partners. He stated they did not have any vote nor were they managing partners in Green Cove Springs Downtown. City Attorney Arnold advised Council Member Royal to file a Form 8B with the City Clerk. He did not feel the vote would have been any different either way.

Council Member Royal requested that more events being held in the County be placed on the City's website calendar to help draw more interest and promote the City and the greater Green Cove Springs area.

Adjournment.

There being no further business to come before the City Council, the meeting was adjourned at 10:43 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

Pamela J. Lewis, Mayor

Attest:

Julia W. Clevinger, City Clerk