

**MINUTES OF THE JANUARY 12, 2016 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, January 12, 2016, 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 Timberlake followed by the Pledge of Allegiance to the Flag of the United States of America.

**Roll Call**

**COUNCIL MEMBERS PRESENT:**

C. Felecia Hampshire  
Pamela J. Lewis  
Roy M. Timberlake, Jr.  
Vacant, Vice Mayor  
B. Van Royal, Mayor

**STAFF MEMBERS PRESENT:**

L. J. Arnold, III, City Attorney  
Julia W. Clevinger, City Clerk  
Janis Fleet, Development Services Director  
Marlena Guthrie, Finance Director  
Cynthia Hunter, Personnel Director  
Danielle J. Judd, City Manager  
Sgt. Chris Hess, Police Department  
Mike Null, Asst. City Mgr. / Public Works  
Director / Interim Electric Utility Director

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

There were none.

**AWARDS AND RECOGNITION**

**Proclamation – Arbor Day**

Mayor Royal read the Proclamation into the record (see attachment marked Exhibit "A"). Sandra Royal, Green Cove Springs Garden Club, and Janis Fleet, Development Services Director thanked the City Council for the recognition. Ms. Royal announced that a red cedar tree had been planted the previous weekend at the VFW in honor of the 25<sup>th</sup> anniversary of the USA's involvement in the Gulf War. Therefore, the Annual Arbor Day Celebration would be held at 1:00 p.m. on Friday, January 15<sup>th</sup> at the VFW Post 1988.

**PUBLIC HEARINGS**

- 1. Second and Final Reading of Ordinance No. O-17-2015, an Ordinance authorizing the City to borrow up to \$334,500.00 from the State Revolving Fund Program for future improvements to the City Wastewater Collection, Treatment, and Reclaimed Water Facilities.**

Mr. Arnold read the title of Ordinance No. O-17-2015 (see attachment marked Exhibit "B") into the record as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA, AUTHORIZING THE CITY TO BORROW UP TO \$334,500.00 FROM THE STATE REVOLVING FUND FOR FUTURE IMPROVEMENTS OF THE CITY WASTEWATER COLLECTION, TREATMENT, AND RECLAIMED WATER FACILITIES; PROVIDING THAT DETAILS OF THE LOAN BE APPROVED BY SUBSEQUENT RESOLUTION OF THE CITY COUNCIL; AND PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.**

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

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO APPROVE ORDINANCE NO. O-17-2015 [ON SECOND AND FINAL READING]. THE MOTION WAS SECONDED BY COUNCIL MEMBER HAMPSHIRE. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS C. FELECIA HAMPSHIRE, PAMELA J. LEWIS, ROY M. TIMBERLAKE, JR., AND MAYOR B. VAN ROYAL. NAYS – NONE.

#### **CONSENT AGENDA**

1. **City Council approval of the minutes of the Regular Session on December 8, 2015 and Special Session on January 5, 2016.**
2. **City Council approval of an Interlocal Agreement with the Clay County Supervisor of Elections (SOE) authorizing the assistance of the SOE in conducting regular and special elections for the City of Green Cove Springs.**
3. **City Council approval of the purchase of a 2016 Nissan Frontier Kingcab for the Customer Service Department from Rountree-Moore Automotive Group in the amount of \$19,052.**
4. **City Council approval of Pay Request Nos. 3 and 4 to Heart Utilities in the amount of \$93,925 and \$26,850 under Contract Value of \$537,000 for the Highway 17 Electric Reconductor Project.**
5. **City Council approval of Pay Request No. 3 to Matthews Design Group, Inc. in the amount of \$18,792.70 under Contract Value of \$200,000 for the Design of the Historic Spring Park Pool & Interactive Water Feature Project.**
6. **City Council approval of the purchase of Nine (9) Padmount Transformers in the approximate amount of \$50,000 under the FMPA Joint Purchase Project IB #2012-003 (single-phase) and RFP-0099 (three-phase).**
7. **City Council approval of a date change request from the Green Cove Springs Business League to close Walnut Street from Highway 17 to Palmetto Avenue for “A Night on the Bricks” on Saturday, January 23, 2016, March 12, 2016, and May 21, 2016.**
8. **City Council approval of an Extension to the City Manager’s Employment Contract from March 23, 2016 through January 5, 2017.**

A MOTION WAS MADE BY COUNCIL MEMBER HAMPSHIRE TO APPROVE CONSENT AGENDA ITEMS 1 THROUGH 8 AS LISTED ABOVE. THE MOTION WAS SECONDED BY COUNCIL MEMBER TIMBERLAKE. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS C. FELECIA HAMPSHIRE, PAMELA J. LEWIS, ROY M. TIMBERLAKE, JR., AND MAYOR B. VAN ROYAL. NAYS – NONE.

## COUNCIL BUSINESS

**1. Discussion and related action regarding the appointment of a replacement to fill City Council Seat 5 vacancy and complete related term of office through May 17, 2016. *Royal***

Discussion ensued with the City Council regarding the appointment of a replacement to fill City Council Seat 5. The following names were presented for nomination:

Constance Butler (Hampshire)  
Steven Kelley (Timberlake)  
Pasquale "Ski" Wotciechowski (Lewis)

Mr. Arnold reminded the City Council that it would require at least three (3) votes to pass a nomination.

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO APPROVE STEVEN KELLEY TO FILL RAY BRALY'S SEAT (5). 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 PAMELA J. LEWIS, ROY M. TIMBERLAKE, JR., AND MAYOR B. VAN ROYAL. NAYS – C. FELECIA HAMPSHIRE.

Ms. Judd stated that according to the City Charter, Mr. Kelley should be seated no later than the 14<sup>th</sup> day following the resignation date of Mr. Braly. Mayor Royal acknowledged that Mr. Arnold had advised at the last Council meeting, that it was not absolutely necessary for Mr. Kelley to be seated, only appointed. However, Mr. Arnold also advised that he believed the intent of the Charter was to have someone on board within the 14 days. Mayor Royal stated he had planned to have the formal swearing-in ceremony at the January 26<sup>th</sup> Council meeting so Mr. Kelley's family could be in attendance.

In response to Mayor Royal's inquiry, Mr. Kelley accepted the appointment to Seat 5.

Mayor Royal requested that the City Clerk prepare the Oath of Office so Mr. Kelley could be sworn in at the end of the meeting. The ceremony would be recreated at the January 26<sup>th</sup> meeting for the benefit of Mr. Kelley's family.

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO SWEAR-IN MR. KELLEY AT THE END OF THE MEETING AND RECREATE THE CEREMONY AT THE JANUARY 26<sup>TH</sup> COUNCIL MEETING. THE MOTION WAS SECONDED BY COUNCIL MEMBER HAMPSHIRE.

Mr. Arnold reminded Mr. Kelley that he was now subject to the Sunshine Law and exparte communications. Mr. Kelley announced his resignation from the Planning & Zoning Board effective immediately. He would also be responsible for making an appointment to the Planning and Zoning Board for his replacement.

THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS C. FELECIA HAMPSHIRE, PAMELA J. LEWIS, ROY M. TIMBERLAKE, JR., AND MAYOR B. VAN ROYAL. NAYS – NONE.

**2. Update on the Annual Parade of Trees in Spring Park. *Thomas***

Discussion ensued with the City Council regarding an update on the Annual Parade of Trees in Spring Park as presented by Ms. Thomas. Ms. Thomas introduced Mike McNaney, 722 N. Cypress Avenue, Green Cove Springs, who would be taking over the event. Inquiring if the City was interested in continuing the event, Mr. McNaney stated he would be looking to the City to take over the Administration of the event. He would continue to take care of the lights and look for and call

on volunteers to assist with the set-up, decorating, and clean-up of the trees. Fees would continue to be assessed but would be reviewed in the future. Mayor Royal requested that Ms. Thomas, Mr. McNaney, and the City Manager develop a plan of how the event would be run and the responsibilities of the contributing parties. Mr. McNaney affirmed that during the 1<sup>st</sup> quarter, or at least by May, he would be planning the Administrative aspects and who would help with the set-up and take-down. Ms. Judd advised that Ms. Thomas would be working with Mr. McNaney.

Mayor Royal recognized James Otto, 2908 [Blanding Blvd.] Blueroom Gentlemen's Club, who expressed among other things his discouragement that the federal funding did not go through for Spring Park.

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO ACCEPT THE REPORT AND LOOK FORWARD TO AN UPDATE ON THE FUTURE PLANS. THE MOTION WAS SECONDED BY COUNCIL MEMBER HAMPSHIRE. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS C. FELECIA HAMPSHIRE, PAMELA J. LEWIS, ROY M. TIMBERLAKE, JR., AND MAYOR B. VAN ROYAL. NAYS – NONE.

**3. Monthly FMPA Report – January 2016. *Bob Page***

Discussion ensued with the City Council regarding the Monthly FMPA Report for January 2016 as presented by Mr. Page. He also advised he was on the search committee for a new CEO. Mr. Page requested direction from the City Council regarding the extraordinarily low gas prices and whether or not the organization should purchase pre-paid gas for a 4-5 month usage. He also inquired if the organization should implement an "artificial price" for gas over the current market price and use the differential amount of money to pay down debt. Upon further discussion, the City Council expressed their opposition and distrust of FMPA to actually use the monies to pay down the debt. If this idea was to come about, the City Manager strongly urged the City Council that an amendment to the Agreements with an outer limit would be necessary and the dollars be placed in a restricted fund so they could not be shifted around for other purposes.

In addition, Mayor Royal expressed his disappointment in the Legislative meeting in Tallahassee on Monday, January 11<sup>th</sup> and that he was dissatisfied in the figures, as presented by FMPA to the State Legislature, stating they were outright lies and he believed that FMPA knew this. He noted he would respond accordingly. Council Member Lewis concurred detailing how the FMPA representative was unable to explain anything and gave false information about Green Cove Springs. Under further discussion, Council Member Timberlake made the following suggestion as a motion:

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO (1) PURSUE THE SELECTION OF A NEW CEO BASED ON INPUT PROVIDED AT PREVIOUS MEETING WITH THE POSITION BEING A TEMPORARY / INTERIM POSITION UNTIL WE CAN GET A BETTER SENSE OF WHERE THINGS ARE GOING; (2) GET ADDITIONAL INFORMATION PARTICULARLY AS TO WHERE IT RELATES TO ENTERTAINING USE OF LOWER GAS PRICES TO OFFSET DEBTS ONLY IN THE EVENT THAT THERE ARE VERY DETAILED RESTRICTIONS ON WHAT CAN HAPPEN WITH THE MONEY, THAT THERE ARE TIMELINES, THAT THERE IS A CAP ON HOW MUCH THAT CAN GO, THAT IT IS A CAP THAT IS PUT UP THERE AND IT IS RATCHETED DOWN IF GAS PRICES GO UP; AND (3) AND TO LOOK AT THE OPTIONS OF BUYING GAS ON A 90-180 BASIS. THE MOTION WAS SECONDED BY COUNCIL MEMBER HAMPSHIRE. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS C. FELECIA HAMPSHIRE, PAMELA J. LEWIS, ROY M. TIMBERLAKE, JR., AND MAYOR B. VAN ROYAL. NAYS – NONE.

Mr. Page also noted that the Agendas were now more easily accessible on the FMPA website.

Ms. Judd noted she would follow-up on the companion bills. She truly believed the attendance by Mayor Royal and Council Member Lewis made all the difference in the votes.

**4. First Reading of Ordinance No. O-01-2016, an Ordinance authorizing a Referendum to vote on amendments to City Code Sections 7.07, entitled Judge of own elections, and 7.08, entitled Canvass of returns. Arnold**

Discussion ensued with the City Council regarding approval of Ordinance No. O-01-2016, an Ordinance authorizing a Referendum to vote on amendments to City Code Sections 7.07, entitled Judge of own elections, and 7.08, entitled Canvass of returns as presented by Mr. Arnold.

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO APPROVE ORDINANCE NO. O-01-2016 ON FIRST READING AS TO FORM ONLY AND SET FINAL PUBLIC HEARING FOR JANUARY 26, 2016. THE MOTION WAS SECONDED BY COUNCIL MEMBER HAMPSHIRE. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS C. FELECIA HAMPSHIRE, PAMELA J. LEWIS, ROY M. TIMBERLAKE, JR., AND MAYOR B. VAN ROYAL. NAYS – NONE.

**5. Approval of Resolution No. R-01-2016, a Resolution approving the terms of a State Revolving Fund Loan Agreement for improvements to the City Wastewater and Reclaimed Water Facilities. Arnold**

Discussion ensued with the City Council regarding approval of Resolution No. R-01-2016 (see attachment marked Exhibit “C”), a Resolution approving the terms of a State Revolving Fund Loan Agreement for improvements to the City Wastewater and Reclaimed Water Facilities as presented by Mr. Arnold.

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO APPROVE RESOLUTION NO. R-01-2016, A RESOLUTION APPROVING THE TERMS OF A STATE REVOLVING LOAN FUND AGREEMENT AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE AGREEMENT. THE MOTION WAS SECONDED BY COUNCIL MEMBER HAMPSHIRE. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS C. FELECIA HAMPSHIRE, PAMELA J. LEWIS, ROY M. TIMBERLAKE, JR., AND MAYOR B. VAN ROYAL. NAYS – NONE.

**6. Appointments to the Citizen Advisory Task Force (CATF) for the Community Development Block Grant (CDBG). Fleet**

Discussion ensued with the City Council regarding appointments to the Citizen Advisory Task Force (CATF) for the Community Development Block Grant (CDBG) as presented by Ms. Fleet. Upon further discussion, the following CATF Members were appointed for the respective terms effective January 12, 2016:

Lori Witham	3 years
Martha Simms	3 years
Lloyd Haight	2 years
Jennifer Bailey	2 years
John Reese	1 year

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO SEAT THE MEMBERS OF THE CATF FOR THE TERMS AS LISTED ABOVE. 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 C. FELECIA HAMPSHIRE, PAMELA J. LEWIS, ROY M. TIMBERLAKE, JR., AND MAYOR B. VAN ROYAL. NAYS – NONE.

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

- a. Executive Summary – Development Services – November 2015.
- b. Executive Summary – Electric – November 2015.
- c. Executive Summary – Police – November 2015.
- d. Executive Summary – Public Works – November 2015.

The City Manager acknowledged the above reports provided to the City Council for information.

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

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

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

Mayor Royal recognized James Otto, 2908 [Blanding Blvd.] Blueroom Gentlemen's Club, who expressed his comments regarding various issues happening in the area of the County and with the Board of County Commissioners, Spring Park, and having doctors in every school.

**Swearing-in ceremony for the unexpired term of office through May 17, 2016 for  
Steven Kelley, Seat 5.**

City Clerk Clevinger led Steven Kelley, Seat 5, in the Oath of Office (see attachment marked Exhibit "D"). Council Member Hampshire held the Holy Bible while he repeated the Oath of Office. Ms. Clevinger and the City Council congratulated Mr. Kelley. Mr. Kelley was seated at the Dais.

**9. Adjournment.**

There being no further business to come before the City Council, the meeting was adjourned at 8:59 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

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B. Van Royal, Mayor

Attest:

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Julia W. Clevinger, City Clerk