

**MINUTES OF THE MARCH 22, 2016 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, March 22, 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 Vice Mayor Lewis followed by the Pledge of Allegiance to the Flag of the United States of America.

Roll Call

COUNCIL MEMBERS PRESENT:

C. Felecia Hampshire
Roy M. Timberlake, Jr.
Steven Kelley
Pamela J. Lewis, 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
Robert Musco, Chief of Police
Mike Null, Asst. City Mgr. / Public Works
Director / Interim Electric Utility Director

Mayor Royal advised he would address the Proclamations before any comments from the audience.

AWARDS AND RECOGNITION

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO APPROVE THE PROCLAMATIONS FOR WATER CONSERVATION MONTH, NATIONAL AUTISM AWARENESS MONTH, AND JIM REAPE. 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, STEVEN R. KELLEY, ROY M. TIMBERLAKE, JR., PAMELA J. LEWIS, AND MAYOR B. VAN ROYAL. NAYS – NONE.

Proclamation – National Autism Awareness Month

Mayor Royal read the Proclamation into the record (see attachment marked Exhibit “A”) and presented it to Ashley Blitchington. Ms. Blitchington gave a brief speech regarding Autism.

Proclamation – Water Conservation Month

Mayor Royal read the Proclamation into the record (see attachment marked Exhibit “B”) and presented it to Mike Null, Asst. City Manager / Public Works Director, and Scott Schultz, Asst. Water Utilities Director.

Proclamation – Jim Reape – Clay High School Wrestling Coach

Mayor Royal read the Proclamation into the record (see attachment marked Exhibit “C”) and presented it to Jim Reape.

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

Mayor Royal recognized Dale Garlinghouse, 103 S. Magnolia Avenue, Green Cove Springs, who advised that the River Park Inn had recently been recognized as an "Exceptional Vendor" from the travel website Expedia.com and were rated at 9.8 out of 10 on the website Booking.com. These recognitions also coincided with the noise level issues recently experienced and heard coming from Ronnie' Wings. The noise level was exceptionally high and the profanity in the lyrics could be heard blocks away from the restaurant. Mr. Garlinghouse had voiced his complaints to the City Manager and the Chief of Police. After further discussion, the Council thanked Mr. Garlinghouse for bringing his concerns to their attention.

Mayor Royal recognized Joe Sobotta, 212 North Street, Green Cove Springs, who expressed his concerns regarding the noise levels in Spring Park and the family friendly atmosphere that the City was trying to present.

Ms. Judd acknowledged the concerns and advised that Staff would look into them and report back to the Council at a later date.

CONSENT AGENDA

1. **City Council approval of the minutes of the Special and Regular Sessions on March 1, 2016.**
2. **City Council approval of the renewal of the Low-Income Home Energy Assistance Program (LIHEAP) Vendor Payment Agreement with the Northeast Florida Community Action Agency (NFCAA) for the period of April 1, 2016 through March 31, 2018 and authorization for the Mayor to sign said Agreement.**
3. **City Council approval of a date change request from the Green Cove Springs Business League for "A Night on the Bricks" from March 12, 2016 to April 9, 2016.**
4. **City Council approval of Resolution No. R-06-2016 (see attachment marked Exhibit "D"), a Resolution authorizing the City Manager to apply for a Florida Boating Improvement Program Grant in the amount of \$50,000, designating the Assistant Water Utilities Director to serve as Project Manager, and approve the grant application to be submitted on March 23, 2016.**
5. **City Council approval of Pay Request No. 5 in the amount of \$12,327.25 and Pay Request No. 6 in the amount of \$5,511.50 to Mathews Design Group, Inc. for the Historic Spring Park Pool & Interactive Water Feature Project.**
6. **City Council approval of the extension of utilities to serve the Edgewater Landing Subdivision and accept a Surety in the amount of \$250,000.00.**
7. **City Council approval of the Final Plat, the Subdivider's Agreement, and Performance Bond for Magnolia West – Phase 2-A and authorization for the Mayor to sign the Plat and Subdivider's Agreement on behalf of the City.**
8. **City Council approval of the review of the Proposed Boundary changes for area schools.**
9. **City Council authorization for the Chief of Police to utilize the Police Department's Drug Fund to purchase a monthly page supporting the 2016/2017 Safe & Drug-Free Schools calendar project in an amount not to exceed \$300.00.**
10. **City Council approval of payment of Sick and Vacation Leave Accruals for three (3) Electric Department Employees.**
11. **City Council approval of Resolution No. R-07-2016 (see attachment marked Exhibit "E"), a Resolution amending the City of Green Cove Springs Investment Policy, Section XII, Authorized Investments and Portfolio Composition.**
12. **City Council approval of the update on the Gateway Corridor and Central Business District Matching Grant Program for FY 2015-2016.**
13. **City Council approval of Current Year Unbudgeted Expenses for Cameras to implement the Live Video Streaming of the City Council meetings.**

Council Member Timberlake pulled Consent Agenda Item No. 10 for discussion.

A MOTION WAS MADE BY COUNCIL MEMBER HAMPSHIRE TO APPROVE CONSENT AGENDA ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, AND 13 AS LISTED ABOVE. 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 C. FELECIA HAMPSHIRE, STEVEN R. KELLEY, ROY M. TIMBERLAKE, JR., PAMELA J. LEWIS, AND MAYOR B. VAN ROYAL. NAYS – NONE.

Item No. 10: Council Member Timberlake advised he would support this item; however, he did not want to see a precedent being set that would open up the City to others saying they want the same treatment. He wanted to confirm that this was only for this one specific case with the Electric Department employees.

A MOTION WAS MADE BY COUNCIL MEMBER HAMPSHIRE TO APPROVE CONSENT AGENDA ITEM 10 LISTED ABOVE. 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 C. FELECIA HAMPSHIRE, STEVEN R. KELLEY, ROY M. TIMBERLAKE, JR., PAMELA J. LEWIS, AND MAYOR B. VAN ROYAL. NAYS – NONE.

COUNCIL BUSINESS

S.A.1. Hooper Corporation Draft Contract for Electric Distribution System Services. *Judd*

Discussion ensued with the City Council regarding the Hooper Corporation Draft Contract for Electric Distribution System Services as presented by Ms. Judd. The following points were noted by Ms. Judd:

- Insurance issues were still being finalized;
- Her goal was to get it in final form by Monday and be able to bring it to Council for approval at their April 5th Council meeting;
- A five-year contract;
- The three (3) fulltime employees had been provided with a list of City benefits and pay scale;
- There was an alternate for a planning and engineering services; and
- There would be additional safety and training made available.

Ms. Judd was recommending authorization for the Mayor to execute a contract with a form similar to the draft. The final contract would be brought back on April 5th for ratification. In addition, the only other section still pending was for penalties and incentives for outages and restoration services. The goal for the transition was for mid-April but no later than May 1st. Mr. Arnold concurred.

A MOTION WAS MADE BY COUNCIL MEMBER HAMPSHIRE TO AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH HOOPER CORPORATION IN A FORM SIMILAR TO THE DRAFT ATTACHED THERETO COVERING THE PERIOD APRIL 2016 THROUGH SEPTEMBER 2020 PURSUANT TO RFP #09-15-07. THE MOTION WAS SECONDED BY VICE MAYOR LEWIS.

Council Member Timberlake inquired if there were any expected performance requirements other than the SAIDI requirements on page 31 of the contract that were expected to be finished by September 30th included in the contract. Ms. Judd advised there were not. At this time, the only penalty and incentive was on the restoration and doing a better job on the outages. The service is to run the distribution system. In addition, she noted that Hooper felt there may be other cost savings by doing distribution services in a more effective and efficient manner. The targets or goals

for September 30th were to build the team, circuit mapping, and advancement on the 4Kv Capital Improvement project.

Council Member Timberlake noted that if it was not in writing, it was not part of the contract and he still wanted to see these targets specifically listed in the contract. Ms. Judd countered that she had discussed them with Hooper Corporation and felt these items would take the next six (6) months to complete. Noting that there was no provision under Section 14.8 – Field Mapping, Council Member Timberlake questioned if there would be a provision to add any language. At the Mayor's suggestion, Ms. Judd agreed to add language addressing the targets for circuit mapping and advancement of the 4Kv Capital Improvement project, etc. in the contract.

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

Mayor Royal recognized the Boy Scouts in the audience from Troop 482 and asked if they had any questions. He asked each Scout to come forward and tell the Council what they planned to do over the summer. The Scouts each stated they planned on attending summer camp and working on their merit badges. Mayor Royal thanked them for attending the Council meeting.

1. Approval of Contract with CORE Construction, Inc. for Bid No. 01-16-01, Historic Spring Park Pool Construction, in the amount of \$2,202,397. Judd / Null

Discussion ensued with the City Council regarding approval of a contract with CORE Construction, Inc. for Bid No. 01-16-01, Historic Spring Park Pool Construction, in the amount of \$2,202,397 as presented by Mr. Null. Mr. Null also stated there was no contingency or funds for a Construction Manager or Inspector. City Staff was requesting approval of the draft AIA contract.

Ms. Judd advised she had been in contact with a Financial Advisor regarding the borrowing of at least \$1 million and potentially more if the City could not revisit some of the other funding partners. She would come back at the April 5th Council meeting with additional information. As noted in the Staff Report and in order to save approximately \$160,000, the projects, including the downtown streetscape and sidewalk, pier and banners, would not move forward if the City Council so directed.

Council Member Timberlake stated he would abstain from the vote due to a possible conflict as the company he is associated with had submitted bids to CORE on the project.

Mayor Royal felt this was a good return on the investment over the 40 years that the City would be making in Spring Park. Vice Mayor Lewis inquired if the debt would come from the General Fund.

Ms. Judd noted that it would come from a pledge from sales tax for the project versus communications services tax. The best she had found so far, and which she stated she was not comfortable with, was \$80,000 per year for 15 years. It was a fixed rate for the first five (5) years and the possibility of a variable rate thereafter. She also reiterated that this was not a bond. In addition, the stormwater fees would be revisited after five (5) years.

A MOTION WAS MADE BY VICE MAYOR LEWIS TO APPROVE A CONTRACT WITH CORE CONSTRUCTION, INC. FOR BID NO. 01-16-01, HISTORIC SPRING PARK POOL CONSTRUCTION, IN THE AMOUNT OF \$2,202,397. THE MOTION WAS SECONDED BY COUNCIL MEMBER HAMPSHIRE.

Ms. Judd clarified that the bottom line would be adjusted by at least \$160,000 for the construction inspection.

THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS C. FELECIA HAMPSHIRE, STEVEN R. KELLEY, PAMELA J. LEWIS, AND MAYOR B. VAN ROYAL. NAYS – NONE. ABSTAINED – ROY M. TIMBERLAKE, JR. (SEE ATTACHMENT MARKED EXHIBIT “F”).

Mayor Royal thanked the County, Legislature including Sen. Bradley, Rep. Cummings, and Rep. Van Zant for their assistance in procuring the \$250,000 in funding for this project.

2. Approval of request from the Green Cove Springs Business League to close Walnut Street from Highway 17 to Palmetto Avenue for “Wind Down on Walnut” event on the first Friday of every month beginning April 1, 2016. Thomas

Discussion ensued with the City Council regarding approval of a request from the Green Cove Springs Business League to close Walnut Street from Highway 17 to Palmetto Avenue for “Wind Down on Walnut” event on the first Friday of every month beginning April 1, 2016. Further discussion included the issue of beer and wine being served from an establishment. Chief Musco advised he would look into this first thing in the morning and get back with Ms. Roedell.

A MOTION WAS MADE BY COUNCIL MEMBER HAMPSHIRE TO APPROVE THE REQUEST FOR KAT ROEDELL, REPRESENTATIVE OF THE GREEN COVE SPRINGS BUSINESS LEAGUE, TO CLOSE WALNUT STREET FROM HWY 17 TO PALMETTO AVENUE FOR “WIND DOWN ON WALNUT” ON THE FIRST FRIDAY OF EVERY MONTH BEGINNING APRIL 1, 2016. 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, STEVEN R. KELLEY, ROY M. TIMBERLAKE, JR., PAMELA J. LEWIS, AND MAYOR B. VAN ROYAL. NAYS – NONE.

3. First Reading of Ordinance No. O-04-2016, an Ordinance authorizing the City to impose and collect non-ad valorem special assessments against real property within the City for services, facilities, programs, and local improvements to certain City owned Solid Waste and Stormwater Utilities. Arnold / Judd

Mr. Arnold read the title of Ordinance No. O-04-2016 into the record as follows:

AN ORDINANCE RELATING TO THE PROVISION OF SERVICES, FACILITIES, PROGRAMS AND LOCAL IMPROVEMENTS IN THE CITY OF GREEN COVE SPRINGS, FLORIDA; AUTHORIZING THE IMPOSITION AND COLLECTION OF ASSESSMENTS AGAINST PROPERTY WITHIN THE INCORPORATED AREA OF THE CITY OF GREEN COVE SPRINGS; PROVIDING CERTAIN DEFINITIONS AND DEFINING THE TERMS "ASSESSMENT," "SERVICE ASSESSMENT," AND "CAPITAL ASSESSMENT"; PROVIDING FOR THE CREATION OF ASSESSMENT AREAS; ESTABLISHING THE PROCEDURES FOR IMPOSING ASSESSMENTS; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF ASSESSMENT ROLLS; PROVIDING FOR INCLUSION IN CHARTER PROVISION FOR ADOPTION OF RATES FOR MUNICIPAL SERVICES; PROVIDING THAT ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE ASSESSMENT ROLL; PROVIDING THAT THE LIEN FOR AN ASSESSMENT COLLECTED PURSUANT TO SECTIONS 197.3632 AND 197.3635, FLORIDA STATUTES, UPON PERFECTION SHALL ATTACH TO THE PROPERTY ON THE PRIOR JANUARY 1, THE LIEN DATE FOR AD VALOREM TAXES; PROVIDING THAT A PERFECTED LIEN SHALL BE EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; AUTHORIZING EXEMPTIONS AND HARDSHIP ASSISTANCE; PROVIDING PROCEDURES FOR COLLECTION OF ASSESSMENTS; PROVIDING A MECHANISM FOR THE IMPOSITION OF ASSESSMENTS ON GOVERNMENT PROPERTY; AUTHORIZING THE ISSUANCE OF OBLIGATIONS SECURED BY ASSESSMENTS AND

PROVIDING FOR THE TERMS THEREOF; PROVIDING THAT THE CITY'S TAXING POWER SHALL NOT BE PLEDGED; PROVIDING REMEDIES; DEEMING THAT PLEDGED REVENUES SHALL BE CONSIDERED TRUST FUNDS; PROVIDING FOR THE REFUNDING OF OBLIGATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Discussion ensued with the City Council regarding Ordinance No. O-04-2016, an Ordinance authorizing the imposition and collection of assessments for stormwater fees city-wide and solid waste fees in the Magnolia West subdivision as presented by Mr. Arnold. He also confirmed for Mayor Royal that the fees would appear on the property owner's ad valorem tax bill and, if not paid, subsequently via the sale of a Tax Certificate.

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO APPROVE ORDINANCE NO. O-04-2016 ON FIRST READING AS TO FORM ONLY AND SET THE FINAL PUBLIC HEARING FOR APRIL 5, 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, STEVEN R. KELLEY, ROY M. TIMBERLAKE, JR., PAMELA J. LEWIS, AND MAYOR B. VAN ROYAL. NAYS – NONE.

4. Approval of the Interlocal Agreements with the Clay County Property Appraiser and Clay County Tax Collector for their assessments and collection of non-ad valorem special assessments for certain City Solid Waste and Stormwater Charges. *Arnold / Judd*

Discussion ensued with the City Council regarding approval of the Interlocal Agreements with the Clay County Property Appraiser and Clay County Tax Collector for their assessments and collection of non-ad valorem special assessments for certain City Solid Waste and Stormwater Charges as presented by Mr. Arnold.

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO APPROVE THE INTERLOCAL AGREEMENTS WITH THE CLAY COUNTY TAXING AUTHORITIES AND AUTHORIZE THE EXECUTION OF SAME BY THE APPROPRIATE CITY OFFICIALS. 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, STEVEN R. KELLEY, ROY M. TIMBERLAKE, JR., PAMELA J. LEWIS, AND MAYOR B. VAN ROYAL. NAYS – NONE.

5. Review of the Land Development Regulations relating to enclosed garages in any Land Use District or Zoning Category. *Fleet*

Discussion ensued with the City Council regarding review of the Land Development Regulations relating to enclosed garages in any Land Use District or Zoning Category as presented by Ms. Fleet.

A MOTION WAS MADE BY COUNCIL MEMBER TIMBERLAKE TO ACCEPT THE PROPOSED CHANGES TO THE CITY CODE RELATED TO GARAGES AND CARPORTS AND DIRECT STAFF TO PROCESS THE CODE CHANGES THROUGH THE PLANNING AND ZONING BOARD. THE MOTION WAS SECONDED BY COUNCIL MEMBER HAMPSHIRE.

Ms. Fleet clarified that a scrivener's error would be changed in the definition of carports from two sides to one side.

Mayor Royal recognized Joe Sobotta, 212 North Street, Green Cove Springs, who expressed his concerns regarding the required size of a carport and whether or not golf carts were considered motor vehicles. Chief Musco advised they must meet State requirements and be registered in the State of Florida in order to be considered a motor vehicle. Ms. Fleet concurred and read the definition of a motor vehicle from the City Code.

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

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

- a. Executive Summary – Development Services – January & February 2016.
- b. Executive Summary – Electric – January & February 2016.
- c. Executive Summary – Police – January & February 2016.
- d. Executive Summary – Public Works – January & February 2016.

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. Ms. Judd made a special announcement regarding the scheduling on a Groundbreaking Ceremony for Spring Park on April 28, 2016 at 10:00 a.m.

7. City Council Reports and/or Correspondence.

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

8. Adjournment.

There being no further business to come before the City Council, the meeting was adjourned at 9:29 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

B. Van Royal, Mayor

Attest:

Julia W. Clevinger, City Clerk