

**MINUTES OF THE JULY 19, 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, July 19, 2016, at 7:02 p.m. in the City Council Chambers, 321 Walnut Street, Green Cove Springs, Florida.

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

A special invocation honoring our Law Enforcement Officers was given by Mayor Lewis followed by the Pledge of Allegiance to the Flag of the United States of America led by Sheriff Rick Beseler.

**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  
Robert Musco, Chief of Police  
Mike Null, Asst. City Mgr. / Public Works Dir.  
Ann Schulte, Personnel Director

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

Mayor Lewis recognized Sara Spurrier, 1672 Pebble Beach Blvd., Green Cove Springs, who expressed her appreciation for the Green Cove Springs Police Officers. She gave tokens of appreciation from Spring Park Coffee to Lt. Asdot to pass on to the Officers.

**AWARDS AND RECOGNITION**

**Recognition – Lawris Lealie – New Customer Service Representative.**

Mayor Lewis and the City Council recognized Lawris Lealie. Ms. Lealie is the new Customer Service Representative in the Finance Department.

**Recognition – Tangela Ware – New Sr. Customer Service Representative.**

Mayor Lewis and the City Council recognized Tangela Ware. Ms. Ware is the new Sr. Customer Service Representative in the Finance Department.

**Recognition – Dillon Patrick – New Groundskeeper.**

Mayor Lewis advised Mr. Patrick was unable to attend the meeting.

**PUBLIC HEARINGS**

- 1. Second and Final Reading of Ordinance No. O-07-2016, an Ordinance of the City of Green Cove Springs, Florida rezoning 3.4 acres of property located off of Energy Cove Court and U.S. Highway 17 South, identified as part of Tax I.D. #016564-000-00 and more particularly described in Attachment “A”, from R-2 to M-2; Providing for Repealer, Severability, and Setting an Effective Date. *Arnold / Fleet***

Mr. Arnold read the title of Ordinance No. O-07-2016 (see attachment marked Exhibit “A”) into the record as follows:

**AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA REZONING 3.4 ACRES OF PROPERTY LOCATED OFF OF ENERGY COVE COURT AND US HIGHWAY 17 SOUTH, IDENTIFIED AS TAX ID #016564-000-00 AND MORE PARTICULARLY DESCRIBED, ATTACHMENT “A”, FROM R-2 TO M-2, PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.**

Mayor Lewis opened 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-07-2016 ON SECOND AND FINAL READING. 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 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-08-2016, an Ordinance of the City of Green Cove Springs, Florida rezoning 4.3 acres of property located off of Energy Cove Court and U.S. Highway 17 South, identified as part of Tax I.D. #016564-000-00 and more particularly described in Attachment “A”, from R-2 to C-2; Providing for Repealer, Severability, and Setting an Effective Date. *Arnold / Fleet***

Mr. Arnold read the title of Ordinance No. O-08-2016 (see attachment marked Exhibit “B”) into the record as follows:

**AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA REZONING 4.3 ACRES OF PROPERTY LOCATED OFF OF ENERGY COVE COURT AND US HIGHWAY 17 SOUTH, IDENTIFIED AS PART OF TAX ID #016564-000-00 AND MORE PARTICULARLY DESCRIBED IN ATTACHMENT "A", FROM R-2 TO C-2, PROVIDING FOR SEVERABILITY; REPEALER; AND SETTING AN EFFECTIVE DATE.**

Mayor Lewis opened 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-08-2016 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.

**3. Second and Final Reading of Ordinance No. O-09-2016, an Ordinance extending the Franchise Agreement with Clay Electric Cooperative, Inc. *Arnold / Judd***

Mr. Arnold read the title of Ordinance No. O-09-2016 (see attachment marked Exhibit "C") into the record as follows:

**AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, EXTENDING AND RENEWING AN ELECTRICAL FRANCHISE PREVIOUSLY GRANTED TO CLAY ELECTRIC COOPERATIVE, INC.; PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.**

Mayor Lewis opened 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-09-2016 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.

Mayor Lewis announced that Council Business Item No. 4. e. would be addressed at this time.

Mayor Lewis recognized City Manager Judd, Asst. City Manager Null, and Kelly Hartwig, Construction Manager, who gave brief update on the construction of the Historic Spring Park Pool Project.

## CONSENT AGENDA

1. **City Council approval of the minutes of the Regular Sessions on June 7 and June 21, 2016.**
2. **City Council approval of the Docking Schedule for American Cruise Lines for 2017.**
3. **City Council approval of a Service Agreement with Shred for Good, a Division of Challenge Enterprises, for document shredding services.**
4. **City Council approval of the 28th Annual Memorial Day RiverFest After-Action Report.**
5. **City Council approval of a Major Special Event Application for Clay County Council on Aging 3<sup>rd</sup> Annual Old Karts and Arts Downtown Street Festival to be held on November 5, 2016.**
6. **City Council approval of Memorandum of Understanding No. A-4002 between the Florida Department of Corrections and the Green Cove Springs Police Department allowing for assistance from and use of their canine tracking units for the period of November 7, 2016 through November 6, 2021.**
7. **City Council authorization for the Mayor to sign a letter in support of Clay County receiving \$58,889 from the 2016 Clay County Drug Task Force Edward Byrne Memorial Justice Assistance Grant (JAG) Program.**
8. **City Council approval of Pay Request No. 3 in the amount of \$2,020.28 to Matthews Design Group, Inc., under Contract Value of \$35,000, 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 \$62,916.03 to Core Construction, under Contract Value of \$2,202,397, for the Historic Spring Park Pool & Interactive Water Feature Project Construction Project.**
10. **City Council approval of Pay Request No. 2 in the amount of \$1,500 to Cypress Management and Design LLC, under contract value of \$25,000, for the Historic Spring Park Pool & Interactive Water Feature Owner's Representative Services.**
11. **City Council approval of Pay Request No. 1 in the amount of \$55,000 to Mittauer and Associates, Inc. under Contract Value of \$334,500, for the Preparation of SRF Loan supporting documents and Initial Design Work.**
12. **Council establishes workshop dates for reviewing the Operating Budget and Capital Improvement Plan for FY 2016/2017.**
13. **Council establishes hearing dates for the first and final hearings to adopt the City of Green Cove Springs Operating Budget and Five Year Capital Improvement Plan for FY 2016/2017.**
14. **City Council ratification of the Electric System Load Study by Power Services Group, Inc.**
15. **City Council approval of a Land Development Assurance Agreement DFH Magnolia, LLC for the final 23 lots in Phase VIII Magnolia Point and authorization for the Mayor to execute said Agreement.**

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE CONSENT AGENDA ITEMS 1 THROUGH 15 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

**1. FMPA Monthly Report – June 2016. *Bob Page***

Discussion ensued with the City Council regarding the monthly update as presented by Mr. Page.

**2. First Reading of Ordinance No. O-10-2016, an Ordinance closing and vacating Rossland Court and declaring same as surplus with compliance with the conditions in the staff recommendation. *Janis Fleet***

Mr. Arnold read the title of Ordinance No. O-10-2016 into the record as follows:

**AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, VACATING AND CLOSING THE CITY STREET KNOWN AS ROSSLAND COURT; PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.**

Discussion ensued with the City Council regarding the closing and vacating of Rossland Court as presented by Ms. Fleet. Ms. Fleet also indicated the Planning & Zoning Board's recommendation that the City receive some sort of compensation for the value of the right-of-way if the Council were to approve its closure. Kelly Hartwig, Representative of the property owner, advised that a Plat would be submitted within 30 days after the closure. The property owner wanted to replat for six (6) lots. Upon further discussion, it was requested that Staff determine before the 2<sup>nd</sup> and Final Reading of the Ordinance if the property owner's ad valorem taxes were based on the entire property or if there was any type of reduction given by the Property Appraiser's Office in lieu of the platted street. It was also agreed that the property value would increase once the lots were replatted and sold which would, in turn, increase the City's tax base.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE ORDINANCE NO. O-10-2016 AS TO FORM ONLY ON FIRST 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, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE. RECUSED – B. VAN ROYAL (SEE FORM 8B ATTACHED AS EXHIBIT "D").

**3. Report on citizen led efforts to cooperate with the City in creating murals. *Chris Eversole***

Discussion ensued with the City Council regarding a citizen led effort, in cooperation with the City, to create murals as presented by Mr. Eversole, Sandra Royal representing CalaVida, Amy Stump, and Lynn Vincent representing the GCS Business League. Examples of possible murals were presented to the City Council which included a rendition of Spring Park and the former Magnolia Hotel. Additional points of discussion included:

- The Committee comprised of volunteers and be responsible for raising funds for the project;
- Need to advertise to get more designs and artists;
- Corporate sponsors?;
- Sell prints of murals at local businesses?;
- Requires owner participation and an agreement to prevent any future painting over of mural(s);
- No use of vacant buildings;
- Murals to be only on U.S. Highway 17;
- Availability of State grants;
- Guidelines and/or design standards similar to what is or is not allowed on the bus benches;
- No advertisement allowed for any business;
- City Council has to review and has final right of refusal;
- Sign Ordinance would need to be amended;
- Cannot prevent a property owner from painting their own mural;
- How does the City police this with regard to content?;
- Establish an approval process through the City Development Services Department to maintain control;
- Committee would have to establish allowable content guidelines in conjunction with the City;
- Research Ordinances from other municipalities; and
- Avoid constitutional over-reach.

A MOTION WAS SO MADE BY COUNCIL MEMBER ROYAL TO ACCEPT THE REPORT OF THE CITIZEN'S GROUP AND ENDORSE ITS GOALS AND PLANS IN CONCEPT AS BENEFICIAL IN BEAUTIFYING THE CITY AND PROMOTING ITS HISTORY AND NATURAL RESOURCES.

AN AMENDED MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO INCLUDE THE DISCUSSION AND CAVEATS THAT WE DISCUSSED AS A COUNCIL. THE AMENDED MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER.

Vice Mayor Timberlake clarified for Mayor Lewis that he was referring to offensive content.

THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS CONSTANCE W. BUTLER, STEVEN R. KELLEY, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – B. VAN ROYAL.

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.

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

- a. Executive Summary – Development Services – June 2016.
- b. Executive Summary – Electric – June 2016.
- c. Executive Summary – Police – June 2016.
- d. Executive Summary – Public Works – June 2016.
- e. Update on Spring Park. *Judd*

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.

**Item e.** – Update on Spring Park. (See above discussion)

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

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

**6. Adjournment.**

There being no further business to come before the City Council, the meeting was adjourned at 9:04 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

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Pamela J. Lewis, Mayor

Attest:

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Julia W. Clevinger, City Clerk