

**MINUTES OF THE SEPTEMBER 6, 2016 SPECIAL SESSION  
GREEN COVE SPRINGS CITY COUNCIL**

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**Call to Order**

A duly called Special Session of the Green Cove Springs City Council was called to order Tuesday, September 6, 2016, at 5:30 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 Timberlake followed by the Pledge of Allegiance to the Flag of the United States of America.

**Roll Call**

**COUNCIL MEMBERS PRESENT:**

Constance W. Butler  
Steven R. Kelley  
B. Van Royal (via phone)  
Roy M. Timberlake, Jr., Vice Mayor  
Pamela J. Lewis, Mayor

**STAFF MEMBERS PRESENT:**

L. J. Arnold, III, City Attorney  
Julia W. Clevinger, City Clerk  
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

**STAFF MEMBERS ABSENT:**

Janis Fleet, Development Services Director

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

There were none.

**COUNCIL BUSINESS**

**1. Major Special Event Permit – Green Cove Dragway. *Danielle J. Judd***

Mayor Lewis recognized City Manager Judd who gave an overview of the history of the Green Cove Dragway as it relates to approval of the Major Special Event Permit and various Code Enforcement issues. A memo from Mr. Peter Swanson was also distributed to the City Council and members of the audience (see attachment marked Exhibit "A").

Mayor Lewis recognized the following citizens for comments:

1. Tracey Dupont, 245 Seminole Street, East Palatka, who expressed her support for the Green Cove Dragway.
2. David Dupot, 245 Seminole Street, East Palatka, who expressed his support for the Green Cove Dragway.
3. Abner Underwood, (Business Owner), 611 Oakridge Avenue, Green Cove Springs, who expressed his support for the Green Cove Dragway.
4. Douglas Freeman, 4650 Astral Street, Jacksonville, who expressed his support for the Green Cove Dragway.
5. David Wade, 126 Raintree Woods Trail, Palatka, who expressed his support for the Green Cove Dragway.
6. Thomas Wilson, 3929 C.R. 315, Green Cove Springs, who expressed his support for the Green Cove Dragway.
7. Jared Toops, 450 S. Green Street, Green Cove Springs, who expressed his support for the Green Cove Dragway.
8. Larianne Stutts, 25 S. Palmetto Avenue, Green Cove Springs, who expressed her support for the Green Cove Dragway.

Mayor Lewis reminded the audience that the issue to be discussed was the code compliance by the Dragway. Ms. Judd explained there were several code enforcement issues that needed to be addressed. In addition, she stated the Dragway could not continue to be called a “Special Event” as she believed that it was now operating as a business. She requested that the City Council not require her to continue monitoring the Dragway. Mayor Lewis noted there were different code requirements for the operation of a business.

Mayor Lewis recognized Peter Scalzo, Owner of the Dragway, 4127 63<sup>rd</sup> Terrace East, Sarasota, who came to the podium.

Acknowledging that he had met with Mr. Scalzo, Council Member Royal suggested the City allow Mr. Scalzo to work out a Site Plan for three (3) years (the length of the contract with Reynolds Park) to include times of operation and changing the direction of the dragstrip. Mr. Scalzo announced that effective immediately he would discontinue racing on Friday nights and commit to a 10:00 p.m. curfew on Saturday nights. He wants to be a good neighbor and believed there is an opportunity for a compromise on both sides to keep the Dragway open. Mr. Scalzo requested the City provide him with a list of what code enforcement issues needed to be brought into compliance as he felt he had done everything the City Council had asked him to do over the past three (3) years.

Council Member Kelley disagreed with events being business in nature such that he considered almost all Special Events to be “for profit” business ventures, i.e., festivals, concerts, etc. He considered the difference between a Special Event versus a permanent business was a product of the repetitious or consistent nature of what the Dragway had become. He would like to see a solution as he felt it was a beneficial event and good wholesome fun. He wanted to see the Dragway continue sustainably but it needed to come into compliance. He suggested that Mr. Scalzo consider the creation of a “seasonal” event which he believed would create more of a

demand for the dragway. He compared this to other major sporting venues like NASCAR, etc. He agreed that a site inspection was necessary.

Although Vice Mayor Timberlake agreed with the previous comments, he also acknowledged the rights of property owners along the riverfront to enjoy the quiet and solitude on a Saturday night and that this may have been infringed upon by the noise from the Dragway. The City had to be sensitive to other peoples' desires as well.

**A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO DIRECT STAFF TO WORK WITH THE DRAGSTRIP TO LOOK [AT] WHAT HAS TO BE DONE TO BRING THE EXISTING SPECIAL EVENTS PERMIT INTO FULL COMPLIANCE.**

Vice Mayor Timberlake clarified that if Mr. Scalzo said that if the curfew was 10:00 p.m. and the Dragstrip went past that time, the Chief of Police and City Manager had authority and responsibility to deal with it as an infraction. Compliance with code issues would also need to be addressed with the Dragstrip along with Reynolds Park as the property owner due to substantial liability issues on their part if compliance was not met.

**VICE MAYOR TIMBERLAKE CONTINUED HIS MOTION TO LOOK AT ADDRESSING IT FROM A TEMPORARY BASIS, MAINTAINING THE EXISTING PERMIT BETWEEN NOW AND MAY (2017) TO SEE IF WE CAN MAKE THAT A WORKABLE SOLUTION, AND THEN WHAT WOULD WE DO ON A GO FORWARD BASIS TO MAKE SURE THAT WE HAVE SOMETHING THAT IS WORKABLE FOR BOTH THE DRAGSTRIP AND FOR THE RESIDENTS OF THE CITY OF GREEN COVE.**

Under discussion of the motion, Council Member Kelley requested Vice Mayor Timberlake to amend his motion to add that if there is dialogue on Mr. Scalzo coming up with another solution to comply to the Major Special Events permit, that it would also be presented. Ms. Judd requested that the City Council vote on the current motion noting that she believed Council Member Kelley's intention was to allow Mr. Scalzo to explore and consider the opportunity to operate as a seasonal event. Vice Mayor Timberlake explained that he would fully expect that out of the dialogue between the Dragstrip and the City, that whatever alternatives would be presented and considered would be brought back to the City Council and then they would say it now qualifies as a special event or they would have to go down a different path.

**THE MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER.**

Mr. Arnold clarified that the direction to Staff was strictly fact-finding regarding compliance issues. Vice Mayor Timberlake further clarified that he would like to see Staff come back with a recommendation or presentation that says this is a way they could have a business that operates in compliance or it has been found that it could not be done. Mayor Lewis also emphasized that a Site Plan for a business was very cut and dry.

Ms. Judd further clarified that full compliance with a Special Event also included insurance, law enforcement security, emergency management as required in the City Code and there was a fee and certain requirements for the Site Plan.

Mayor Lewis advocated for Ms. Judd stating she had presented the historical facts as requested and was only trying to have the City Council obey the law.

Mr. Scalzo expressed his appreciation to the City Council and his desire to be a good neighbor.

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 Member Royal disconnected from the meeting at 6:50 p.m.

Mayor Lewis commented that many complaints had been received regarding the noise levels and, as a community, everyone needed to be respectful of other's way of life as much as their own.

A MOTION WAS MADE BY COUNCIL MEMBER BUTLER TO RECEIVE THE CITY MANAGER'S REPORT ON THE GREEN COVE DRAGWAY. 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, ROY M. TIMBERLAKE, JR., AND PAMELA J. LEWIS, MAYOR. NAYS – NONE.

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

There were none.

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

There were none.

**Adjournment.**

There being no further business to come before the City Council, the meeting was adjourned at 6:55 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