

**MINUTES OF THE OCTOBER 18, 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, October 18, 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 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 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  
Lauren Fitzgerald, Asst. Finance Director  
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  
Scott Schultz, Asst. Water Utilities 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**

**1. Swearing in Ceremony of Officer Pedro Torres.**

Mayor Lewis led the swearing-in ceremony of Officer Pedro Torres with Officer Torres' brother pinning the GCS Police Badge on his uniform. Chief Musco provided a copy of the Department's Mission Code and Pin and asked him to recite the Police Officer's Code of Ethics.

**2. Promotion of Officer John Guzman to Sergeant.**

Mayor Lewis led the swearing-in ceremony of Officer John Guzman with Officer Guzman's wife pinning the GCS Police Badge on his uniform. Chief Musco provided a copy of the Department's Mission Code and Pin and asked him to recite the Police Officer's Code of Ethics.

**3. Promotion of Lt. Derek Asdot to Assistant Chief of Police.**

Mayor Lewis and City Manager Judd led the promotion ceremony of Lt. Derek Asdot to Assistance Chief of Police with Assistant Chief Adsot's wife pinning the GCS Police Badge on his uniform.

Mayor Lewis thanked the Green Cove Springs Police Officers and Clay County Sheriff's Office for all they did during Hurricane Matthew.

**PUBLIC HEARINGS**

**1. Second and Final Reading of Ordinance No. O-13-2016, an Ordinance authorizing the City to borrow up to \$34,158,100.00 (latest projection) from the Florida Department of Environmental Protection (FDEP) State Revolving Fund (SRF) for upgrading of the City's wastewater collection, wastewater treatment and reclaimed water facilities. *Arnold / Null / Judd***

Mr. Arnold read the title of Ordinance No. O-13-2016 (see attachment marked Exhibit "A") into the record as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF GREEN COVE SPRINGS, FLORIDA, AUTHORIZING THE CITY TO BORROW UP TO \$34,158,100.00 FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING FUND (SRF) FOR IMPROVEMENTS TO THE CITY'S 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 Lewis open the Public Hearing. There being no comments, the Public Hearing was closed.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE ON SECOND AND FINAL READING ORDINANCE NO. O-13-2016. 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.

Ms. Judd commended Mike Null, Scott Schultz, and Jason Shepler, Mittauer & Associates, for their hard work on this project.

**2. Second and Final Reading of Ordinance No. O-15-2016, an Ordinance modifying Wastewater Rates – Fiscal Year (FY) 2016/2017. *Arnold / Null / Judd***

Mr. Arnold read the title of Ordinance No. O-15-2016 (see attachment marked Exhibit “B”) into the record as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, MODIFYING WASTEWATER RATES BY AMENDING CITY CODE CHAPTER 78 - UTILITIES, ARTICLE IV - SEWERS AND SEWAGE DISPOSAL, DIVISION 3 - RATES AND CHARGES, SECTION 78-297 ENTITLED “WASTEWATER RATES”; AMENDING SECTION 78-297 (h), ANNUAL RATE INCREASE; PROVIDING FOR CONFLICT, SEVERABILITY, CODIFICATION, AND SETTING AN EFFECTIVE DATE.**

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

Mr. Arnold advised he had cleaned up Section 78-297(h) in this Ordinance and O-14-2016 in response to a citizen’s comments during the First Reading on October 4, 2016.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE ORDINANCE NO. O-15-2016 ON SECOND AND FINAL READING WITH CLARIFICATION TO SUBSECTION (H) TO DELETE CERTAIN VERBIAGE AND ADD A MANDATE THAT THE CITY MANAGER RECOMMEND YEARLY RATE ADJUSTMENTS, IF NECESSARY, DURING THE BUDGET PROCESS. 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.

**3. Second and Final Reading of Ordinance No. O-14-2016, an Ordinance modifying Water Rates - Fiscal Year (FY) 2016/2017. *Arnold / Null / Judd***

Mr. Arnold read the title of Ordinance No. O-14-2016 (see attachment marked Exhibit “C”) into the record as follows:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, MODIFYING WATER RATES BY AMENDING CITY CODE CHAPTER 78 UTILITIES, ARTICLE III - WATER SERVICE, DIVISION 3 - RATES AND CHARGES, SECTION 78-197 ENTITLED "WATER USAGE AND MONTHLY MINIMUM CHARGES"; AMENDING SECTION 78-197 (h) ANNUAL RATE INCREASE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, 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 COUNCIL MEMBER KELLEY TO APPROVE ORDINANCE NO. O-14-2016 ON SECOND AND FINAL READING WITH CLARIFICATION TO SUBSECTION (H) TO DELETE CERTAIN VERBIAGE AND ADD A MANDATE THAT THE CITY MANAGER RECOMMEND YEARLY ADJUSTMENTS, IF NECESSARY, DURING THE BUDGET PROCESS. 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.

**4. First Reading and Public Hearing on Ordinance No. O-16-2016, an Ordinance Imposing a Temporary Moratorium on the Operation of Medical Marijuana Treatment Centers and Licensed Dispensing Organizations Within the City of Green Cove Springs for a Period of One (1) Year. *Arnold / Fleet***

Mr. Arnold read the title of Ordinance No. O-16-2016 into the record as follows:

**AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE OPERATION OF MEDICAL MARIJUANA TREATMENT CENTERS AND LICENSED DISPENSING ORGANIZATIONS WITHIN THE CITY OF GREEN COVE SPRINGS FOR A PERIOD OF ONE (1) YEAR UNLESS RESCINDED OR EXTENDED BY A SUBSEQUENT ORDINANCE, OR BY A SUBSEQUENT AMENDMENT TO THE CITY'S LAND DEVELOPMENT REGULATIONS REGARDING THE REGULATION OF MARIJUANA TREATMENT CENTERS AND LICENSED DISPENSING ORGANIZATIONS; PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN IMMEDIATE 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-16-2016 ON FIRST READING AS TO FORM ONLY AND TO SET THE PUBLIC HEARING FOR THE SECOND AND FINAL READING ON NOVEMBER 15, 2016. 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.

**5. First Reading and Public Hearing on Ordinance No. O-17-2016, an Ordinance of the City of Green Cove Springs, Florida, amending City Code Section 102-418(D), Modifying Hours of Operation for the Sale, Consumption and Serving of Alcoholic Beverages; Providing for Repealer, Severability, and Setting an Effective Date. Arnold / Fleet**

Mr. Arnold read the title of Ordinance No. O-17-2016 into the record as follows:

**AN ORDINANCE OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AMENDING CITY CODE SECTION 102-418(d), MODIFYING HOURS OF OPERATION FOR THE SALE, CONSUMPTION AND SERVING OF ALCOHOLIC BEVERAGES; PROVIDING FOR REPEALER, SEVERABILITY AND SETTING AN EFFECTIVE DATE.**

Mayor Lewis open the Public Hearing. Ms. Judd advised the City was mirroring the hours of the County. There being no comments, the Public Hearing was closed.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE ORDINANCE NO. O-17-2016 ON FIRST READING AS TO FORM ONLY AND TO SET THE PUBLIC HEARING FOR THE SECOND AND FINAL READING ON NOVEMBER 15, 2016. 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.

**CONSENT AGENDA**

- 1. City Council approval of a request from the VIA / Women's Club for the Mayor to present a "Key to the City" to Jolie Frankfurth, Director of Junior Clubs, General Federation of Women's Clubs at their meeting on Saturday, November 12, 2016.**
- 2. City Council approval of a Purchase Order in an amount not to exceed \$88,000 for Right-of-Way Maintenance for Fiscal Year 2016/2017.**
- 3. City Council approval to write off bad debts at September 30, 2016 for a 12-month period ending September 30, 2015 for electric, water, wastewater, solid waste and stormwater.**

4. **City Council approval of the piggybacking on the Mt. Dora Contract retroactive from October 1, 2016 to September 30, 2017 for Annual Tree Trimming Services with Davey Tree Service for the Electric Department in an amount not to exceed \$90,000.**
5. **City Council approval of the 2016/17 COPS Grant – United States Department of Justice (USDOJ), Office of Community Policing in the amount of \$89,074.**
- S.A. 1. **City Council approval of a Sole Source Procurement from Gresco Supply, Inc. in the amount of \$42,360 for Replacement Reclosers.**
- S.A. 2. **City Council approval of a Contract for the Citizen Street Stormwater Project with Pipeline Constructors, Inc. in the amount of \$563,470.**
- S.A. 3. **City Council approval of Pay Request No. 5 in the amount of \$29,682.00 to Core Construction, under Contract Value of \$2,202,397 for the Historic Spring Park Pool & Interactive Water Feature Construction Project.**

Council Member Royal pulled Consent Agenda Item No. 3 for discussion. (See discussion following Supplemental Agenda Council Business Item No. 3.)

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE THE CONSENT AGENDA AND THE REGULAR AND SUPPLEMENTAL AGENDA WITH THE EXCEPTION OF ITEM NUMBER 3 ON THE REGULAR AGENDA. 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**

#### **SA 1. Interlocal Agreement with Clay County for Storm Debris Removal Services. *Judd***

Discussion ensued with the City Council regarding an Interlocal Agreement with Clay County for Storm Debris Removal Services as presented by Ms. Judd. John Ward, Director of Clay County Emergency Management, commended the City Staff for their hard work during Hurricane Matthew. He gave an update on the costs of removal of the storm debris.

Mayor Lewis also commended the City Staff and expressed her hope that the citizens realized and understood the hard work and organization it took to prepare and recover from a major Hurricane.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO AUTHORIZE THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT WITH CLAY COUNTY TO PROVIDE FOR STORM DEBRIS REMOVAL WITHIN THE CORPORATE LIMITS OF GREEN COVE SPRINGS AS A RESULT FROM HURRICANE MATTHEW. 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.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO PICK UP THE PRIVATE ROADS AS WELL AS PUBLIC ROADS AS A MATTER OF POLICY.

He understood the funding implications of that; however, he felt that the residents in the private communities paid taxes just like everyone else does and he felt it would be very unfortunate if the City tried to draw a line and say they were responsible for their own and their tax dollars would go to somebody else.

THE MOTION WAS SECONDED BY COUNCIL MEMBER ROYAL.

Mayor Lewis expressed her concern that the City would be setting a precedence for other things that might spill over to stormwater or other things that the City might have ahead of it.

VICE MAYOR TIMBERLAKE CLARIFIED HIS MOTION TO BE SPECIFICALLY FOR STORM DEBRIS REMOVAL AND THINGS OF THAT NATURE.

He further commented that in the event of a natural catastrophe, he would hope that everyone would understand that they are one off items and the City was not attempting to set any kind of precedence. Mr. Arnold confirmed that the City had much more leeway due to the effect on everybody in the City. He further clarified for the Mayor that there was no conflict of interest due to the fact that two (2) of the Council Members, the City Manager, and the City Attorney lived there.

Ms. Judd further clarified for Vice Mayor Timberlake that the City cannot reimburse payments for debris removal that an individual or HOA might have incurred. Payments would only be authorized to the County for their contractor(s).

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.

**SA 2. Hurricane Matthew Storm Report. *Judd / Null***

Discussion ensued with the City Council regarding an update on Hurricane Matthew as presented by Mr. Null.

Each of the Council Members commended the City Staff for their work during the storm.

Bob Page, 1862 Colonial Drive, Green Cove Springs, expressed his appreciation to the City for their excellent advanced planning for the storm. He also commended the Council for building the EOC and the City employees for leaving their families to work before, during and after the storm.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO APPROVE THE REPORT. 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.

**1. Evaluation of Commercial Accounts - Demand Meter Rate Tariff. *Judd / WHH Enterprises***

Discussion ensued with the City Council regarding evaluation of commercial accounts – Demand Meter Rate Tariff as presented by Ms. Judd and Bill Herrington, WHH Enterprises, via a PowerPoint presentation.

Mayor Lewis recognized David Jackson, Pastor of 1<sup>st</sup> Presbyterian Church, who requested the City further evaluate load demands by the churches.

Under further discussion, ideas included exploring 25kw and the load factor, establishing a “Care to Share” program, offering energy audits, and setting parameters for a petition method to the customers allowing them to choose which type of meter rate they would prefer to choose. Customers would be required to stay on that rate for at least 12 months. Education of the customers was imperative.

Mayor Lewis recognized Jim Ziegner, a member of 1<sup>st</sup> Presbyterian Church, who expressed his concerns regarding the assistance program and believed the utility bills should be more detailed for the customers regarding usage, the load factors, and the number of days in the cycle.

Ms. Judd reviewed the tasks she would be evaluating over the next few weeks:

- Energy audit;
- Care to Share program;
- Communication with the public;
- Petition process – choice between Demand or Non-Demand;
- Load factor with 25 kw perhaps as high as 40%; and
- Comparing and contrasting on customers to see what the impacts are.

Vice Mayor Timberlake would like to see a range of options for the customers. He reiterated the City’s ultimate responsibility was an equitable distribution of costs to run the electric utility and generate an appropriate rate of return.



**2. Augusta Savage Arts & Community Center (ASA&CC) – Library Demolition and New Construction. Judd**

Discussion ensued with the City Council regarding the Library demolition and new construction at the ASA&CC as presented by Ms. Judd. Bob McVeigh and Paul Lutton with Bhide & Hall responded to questions from the Council. In response to Council Member Royal's comments regarding the proposed increased costs per square foot for the renovation of the building, Ms. Judd noted that Bhide & Hall had designed the building according to the Council's original wishes and the original budget of \$250,000. The lowest bid submitted for renovation was \$381,847 and the design by Bhide and Hall was within a couple of thousand dollars of the bids received. Mr. Lutton countered that the proposal was based on minimum renovations, two (2) rooms, and a bathroom. After Staff and community meetings and following the parameters of the request, further components had evolved and been added to include classrooms, a museum, an office, bathrooms, a kitchen and a dance studio which would also include sound-proofing components. A new roof structure and problems with the stabilization of the foundation would also have to be addressed.

Upon further discussion and in order to reduce costs, considerations for value engineering and studying from a new perspective with a design as a new building would be evaluated.

Based on this direction, the City Council must pass a motion to reject the Bid in the next item. Ms. Judd noted the City would engage Bhide & Hall which would include new fees, take the design elements from the community meeting, and a revised building footprint, and bring the item back to the City Council for consideration at a later date. Ms. Judd would also bring a Task Order to the City Council for consideration at a later date.

**3. Augusta Savage Arts & Community Center (ASA&CC) – Library Renovation Bid. Judd**

Discussion ensued with the City Council regarding the Library renovation bid at the ASA&CC as presented by Ms. Judd.

A MOTION WAS MADE BY VICE MAYOR TIMBERLAKE TO REJECT THE RENOVATION BID. 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.

**S.A. 3. City Council review and related action regarding LDR Interpretation # 2016-02 related to locating an Office for the State of Florida Department of Corrections' Administrative & Probation and Parole Office in the C-2 Zoning Category. Fleet**

Discussion ensued with the City Council regarding LDR Intrepretation # 2016-02 related to locating an office for the State of Florida Department of Corrections' Administrative & Probation and Parole Office in the C-2 Zoning Category as presented by Ms. Fleet.

According to Chief Musco, an average of 20 arrests per month would increase the services from the Police Department approximately eight (8) hours per week. There was only one (1) such facility in the county.

Ms. Judd clarified that the management company was requesting a letter from the City stating it meets the zoning category and there were no objections. This letter was required prior to the bids being submitted. She reiterated there were existing tenants in the Shopping Center and there would also be "high risk" offenders. In addition, the current building was a free-standing building set back off the road as compared to being located in a shopping center. This would also include a 7-year lease with two (2) five (5) year options that would become effective November 1, 2017. Even though it was not the City's responsibility, the question was brought up as to whether or not the property owner was aware of what was being submitted.

Mr. Arnold noted that it was possible that the Landlord could come back against the City if he was faced with losing a possible 17-year tenant.

A MOTION WAS MADE BY COUNCIL MEMBER ROYAL TO TABLE THIS FOR TWO (2) WEEKS BECAUSE HE WOULD LIKE THE CHIEF, CITY MANAGER, AND CITY ATTORNEY TO LOOK INTO IT A LITTLE MORE BASED ON THE FACT THAT THE CITY HAD RECENTLY CHANGED THE RULES ON ALCOHOL.

Mr. Arnold advised the City Council was not required to make a decision at this meeting.

THE MOTION WAS SECONDED BY COUNCIL MEMBER KELLEY.

Under discussion of the motion, Vice Mayor Timberlake noted that no new crime would be forthcoming unless, according to Chief Musco, the offender resisted arrest. The Police Department's role would only be to make the arrest and transport to the Clay County Jail. However, if the City Code allowed such an office, he believed the property owner had a right to rent to whomever he wanted. A question of whether or not a business that serves alcohol or proximity to children would be allowed near this type of office by State Statute. In response to Mr. Arnold's question, Chief Musco advised he would find a representative to come speak with the City Attorney, City Manager, and Chief of Police.

It was also noted that the due date for the letter was requested by October 25<sup>th</sup>, and the City Council was not required to act due to the late date of the request and the lack of information.

Upon further discussion, Council Member Royal withdrew his motion. Council Member Kelley withdrew his second.

A MOTION WAS MADE BY COUNCIL MEMBER ROYAL THAT WE ACCEPT THE INTERPRETATION BUT THAT WE DO NOT SEND THE LETTER UNTIL HE EXPRESSED OUR CONCERNS ABOUT THE THINGS RAISED TONIGHT WITH THE PROPERTY OWNER.

Mayor Lewis expressed her concern for any other possible zoning categories that this type of office would be allowed within the City. Ms. Fleet noted that new regulations could be drafted for specific types of offices.

It was agreed among the City Council that they should not be pressured to make a decision on such short notice.

THE MOTION DIED FOR LACK OF A SECOND.

A MOTION WAS MADE BY COUNCIL MEMBER KELLEY TO TABLE THIS TO THE NEXT MEETING WITH MS. FLEET AND CHIEF OF POLICE REPORTING BACK. THE MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER.

Under discussion of the motion, Vice Mayor Timberlake requested that the Property Owner come to the Council Meeting to discuss further.

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, AND PAMELA J. LEWIS, MAYOR. NAYS – ROY M. TIMBERLAKE, JR.

At this time, Mayor Lewis addressed Consent Agenda Item No. 3.

**C.A. 3. City Council approval to write off bad debts at September 30, 2016 for a 12-month period ending September 30, 2015 for electric, water, wastewater, solid waste and stormwater.**

Discussion ensued with the City Council regarding approval to write off bad debts at September 30, 2016 for a 12-month period ending September 30, 2015 for electric, water, wastewater, solid waste and stormwater as presented by Ms. Guthrie. In response to Council Member Royal's inquiry regarding procedures for turning over these accounts to collections.

Writing off the accounts basically takes the amounts off the accounts receivable in the general ledger but does not prohibit the City from continuing to try and collect on the accounts. The bad debt continues to reflect on the customer's account for future reference. Customers that leave owing a bad debt cannot open another account until the old debt is

paid in full. They also review the list to see if it is possible to apply any of these balances to other accounts. Thirty (30) days after the account is closed and the bill is not paid, the City will submit the bill to M. J. Altman & Company for collection at which time they attempt to collect on the bad debt. There is a Statute that says it can only be collected within five (5) years. M. J. Altman & Company then reports it to the credit bureaus. For 2014, there was \$80,613 in bad debts and \$71,966 for 2015. However, the City was hoping the write-off for 2016 would be less because the accounts were being turned over quicker and they were working the cut-off lists more diligently.

A MOTION WAS MADE BY COUNCIL MEMBER ROYAL TO ACCEPT THE WRITE-OFF OF BAD DEBTS ITEM NO. 3 ON THE CONSENT AGENDA. 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.

**4. 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.

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

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

**Adjournment.**

There being no further business to come before the City Council, the meeting was adjourned at 11:35 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

---

Pamela J. Lewis, Mayor

Attest:

---

Julia W. Clevinger, City Clerk