

**MINUTES OF THE AUGUST 15, 2017 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, August 15, 2017, 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 Lewis followed by the Pledge of Allegiance to the Flag of the United States of America.

Roll Call

COUNCIL MEMBERS PRESENT:

Steven Kelley
Pamela J. Lewis
B. Van Royal
Constance W. Butler, Vice Mayor
Roy M. Timberlake, Jr., Mayor

STAFF MEMBERS PRESENT:

L. J. Arnold, III, City Attorney
Derek Asdot, Acting Chief of Police
Julia W. Clevinger, City Clerk
Janis Fleet, Development Services Director
Marlena Guthrie, Finance Director
Danielle J. Judd, City Manager
Mary Jane Lundy, Personnel Director
Mike Null, Asst. City Mgr. / Public Works Dir.
Kimberly Thomas, Exec. Asst. to the City Mgr.

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

Mayor Timberlake recognized Eugene Francis, 615 Walburg Street, Green Cove Springs, who expressed his desire to see the Augusta F. Savage Cultural Arts Festival reestablished. Mr. Francis stated he would like to see a symposium versus a street festival scheduled for February 2018 culminating with a big celebration on 2020 on her birthday, February 29th. He assured the City Council that funding and management for this event would come from outside sponsors. Mayor Timberlake requested that Mr. Francis also communicate with CalaVida so everyone was working towards a common goal.

Mayor Timberlake recognized Procha Sweet, 300 N. Cypress Avenue, Green Cove Springs, who inquired about what she believed to be conflicting information on reservation fees and use of electricity for a birthday party to be held on September 17th at Vera Francis Hall Park. Mayor Timberlake requested Ms. Sweet's phone number and was advised the proper department would contact her to clear any discrepancies.

AWARDS AND RECOGNITION

1. Recognition – Jesse Ryan, Utility Plant Operator II, W/WW Dept.

Scott Schultz, Asst. Water Utilities Director, introduced, and the City Council welcomed, Jesse Ryan, the City's new Utility Plant Operator II for the Water/Wastewater Department.

PUBLIC HEARINGS

1. Second Reading of Ordinance No. O-05-2017, an Ordinance amending City Code Section 78, Utilities, Article II, Electric Utility, Section 78-31, Definitions, General Service Non-Demand (Commercial). *L. J. Arnold, III, Danielle J. Judd*

Mr. Null read the title of Ordinance No. O-05-2017 (see attachment marked Exhibit "A") into the record as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, AMENDING CITY CODE "CHAPTER 78, UTILITIES, ARTICLE II, ELECTRIC UTILITY, DIVISION 1. GENERALLY," SECTION 78-31 ENTITLED "DEFINITIONS"; MORE SPECIFICALLY, "GENERAL SERVICE NON DEMAND (COMMERCIAL)"; PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

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

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO APPROVE ON SECOND READING ORDINANCE NO. O-05-2017, AN ORDINANCE AMENDING THE CITY CODE SECTION 78, UTILITIES, ARTICLE [II], ELECTRIC UTILITY, SECTION 78-31 "DEFINITIONS", "GENERAL SERVICE NON DEMAND (COMMERCIAL)". 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 STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

2. **Public Hearing and approval of Final Assessment Resolution No. R-24-2017, a Resolution relating to the reimposition of Stormwater Management Service Assessments against real property within the City of Green Cove Springs; Approving the Stormwater Assessment Roll; and Confirming the Initial Assessment Resolution. *L. J. Arnold, III, Danielle J. Judd***

Discussion ensued with the City Council regarding approval of the Final Assessment Resolution No. R-24-2017 (see attachment marked Exhibit “B”) relating to the reimposition of Stormwater Management Service Assessments against real property within the City of Green Cove Springs as presented by Mr. Arnold.

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

A MOTION WAS MADE BY VICE MAYOR BUTLER [TO APPROVE RESOLUTION NO. R-24-2017]. 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 STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

3. **Public Hearing and approval of Final Assessment Resolution No. R-25-2017, a Resolution relating to the reimposition of Solid Waste Service Assessments in the Magnolia West Assessment Area; Approving the Solid Waste Assessment Roll; and Confirming the Initial Assessment Resolution. *L. J. Arnold, III, Danielle J. Judd***

Discussion ensued with the City Council regarding approval of the Final Assessment Resolution No. R-25-2017 (see attachment marked Exhibit “C”) relating to the reimposition of Solid Waste Service Assessments in the Magnolia West Assessment Area as presented by Mr. Arnold.

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

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO APPROVE FINAL ASSESSMENT RESOLUTION NO. R-25-2017 A RESOLUTION RELATING TO THE REIMPOSITION OF SOLID WASTE SERVICE ASSESSMENTS IN MAGNOLIA WEST ASSESSMENT AREA APPROVING THE SOLID WASTE ASSESSMENT ROLL IN THE INITIAL ASSESSMENT RESOLUTION. 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 STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

CONSENT AGENDA

1. **City Council approval of Resolution No. R-20-2017 (see attachment marked Exhibit “D”), a Resolution requesting a temporary street closing permit from the Florida Department of Transportation for the Clay High School Homecoming Parade to be held on Friday, September 29, 2017.**
2. **City Council approval of the renewal of Contract No. 18-09-A-GRE601, BIS Digital Recording System Support Agreement, for the period of October 1, 2017 through September 30, 2018 in the amount of \$11,740.**
3. **City Council approval of the FY 2017 Revenues and Expenditures Report and the Quarterly Investment Report for the Period Ending June 30, 2017.**
4. **City Council approval of Resolution No. R-21-2017 (see attachment marked Exhibit “E”), to accept the Phase I Water, Sewer, and Reclaimed Water Utilities at the Edgewater Landing Development.**
5. **City Council approval of 201700598 a Gateway Corridor and Central Business District Matching Grant Application for Landscape Improvements for the Property located at 328 Ferris Street, the Big Tree Building submitted by Steve Geuther.**
6. **City Council approval to execute a Task Order to Mittauer & Associates, Inc. for bidding, construction administration and construction inspection services for the North Grid Reclaimed Water Main (Harbor Road to CR 209 Reclaimed Water Extension) in the lump sum amount of \$77,700.**
7. **City Council approval of Pay Request No. 5 in the amount of \$79,012.50 to Hooper Corporation under \$526,750 4kV Electric Distribution System Conversion Capital Project.**
8. **City Council approval of Resolution No. R-23-2017 (see attachment marked Exhibit “F”), a Resolution approving a Utility Work Agreement with FDOT for utility work to be completed in conjunction with FDOT Project ID number 436778-1-52-01, SR 15 / SR 16 Intersection Improvements, and authorizing the Mayor to execute same.**
9. **City Council approval of Pay Request No. 16 in the amount of \$540.18 to Matthews Design Group, Inc., under revised Contract Value of \$73,500, for the Historic Spring Park Pool & Interactive Water Feature Project Construction Inspection Services.**

Mayor Timberlake pulled Consent Agenda Item No. 5 for discussion.

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO APPROVE CONSENT AGENDA ITEMS 1, 2, 3, 4, 6, 7, 8, AND 9 AS LISTED ABOVE. THE MOTION WAS SECONDED BY VICE MAYOR BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

Consent Agenda Item No. 5 – Mayor Timberlake asked for clarification. He was not under the opinion that the Matching Grant Program was created to include tree trimming service; the intent was for façade beautification and improvements. Ms. Fleet explained that the property owner was considering the pruning of limbs for the health of the large oaks on the property as part of the landscaping element eligible under the grant program. Under further discussion, the City Council agreed that tree trimming (\$1,800) was not considered to be part of the landscaping element and should be the responsibility of the property owner.

Council Member Kelley advised he would recuse himself from the vote.

Mayor Timberlake passed the gavel to the Vice Mayor.

A MOTION WAS MADE BY MAYOR TIMBERLAKE TO APPROVE CONSENT AGENDA ITEM 5 WITH THE REMOVAL OF \$1,800 FROM THE TOTAL AMOUNT OF THE PROJECT AND THEN DO A 50% MATCH ON THE BALANCE. 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, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE. RECUSED – STEVEN R. KELLEY (SEE FORM 8B ATTACHED AS EXHIBIT “G”).

Vice Mayor Butler passed the gavel back to Mayor Timberlake.

COUNCIL BUSINESS

Under the advice of the City Attorney, Mayor Timberlake advised that Council Business Item Nos. 1, 2, and 3 would be addressed as one (1) item.

- 1. Lien Reduction Request for property at 471 Jeri Drive (Case Number – 11-157). *Janis Fleet, Mitra Goswami***
- 2. Lien Reduction Request for property at 471 Jeri Drive (Case Number – 13-008). *Janis Fleet, Mitra Goswami***
- 3. Lien Reduction Request for property at 471 Jeri Drive (Case Number – 16-041). *Janis Fleet, Mitra Goswami***

Discussion ensued with the City Council regarding a request by the applicant for a reduction of the three (3) liens on the property located at 471 Jeri Drive as presented by Ms. Fleet and Ms. Goswami. Recognizing Mr. Dziedzic who gave a brief overview of the project, the City Council was unanimous in its accolades to him and Ecomax Services, LLC for the remarkable job he had done in the renovation of the structure and commended him for returning a once dilapidated structure to a wonderful addition to the neighborhood. However, after further discussion, the City Council was also in agreement that although Mr. Dziedzic had not performed his due diligence before purchasing the property, payment

of a portion of the lien was also appropriate to cover the City's costs and Staff time related to the processing of these three (3) Code Enforcement cases.

A MOTION WAS MADE BY COUNCIL MEMBER ROYAL TO COMBINE THE THREE (3) FINES AND REDUCE THE TOTAL AMOUNT TO \$1,000 TO COVER ADMINISTRATIVE COSTS. 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 STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

Ms. Goswami also added that Mr. Dziejczak had been advised that the City had a lien search program for people to utilize prior to purchasing any property.

4. City Council discussion and direction regarding WiFi in Spring Park. *Steven R. Kelley*

After initial questions and discussion regarding Wi-Fi in Spring Park as presented by Angel Alicea, Network Administrator, this item was tabled and Staff was requested to bring back additional information for the September 5th Agenda on the options and/or costs of separate systems for Spring Park and other possible locations.

5. City Council approval of task order in the amount of \$8,580 to Bhide and Hall to complete a master site design with phasing recommendations and a written planning document for renovation of the City's Public Works Compound. *Mike Null*

Discussion ensued with the City Council regarding approval of a Task Order in the amount of \$8,580 to Bhide and Hall to complete a Master Site Design with phasing recommendations and a written planning document for renovation of the City's Public Works Compound as presented by Mr. Null.

A MOTION WAS MADE BY VICE MAYOR BUTLER TO ACCEPT THE TASK ORDER [IN THE AMOUNT OF \$8,580 TO BHIDE AND HALL TO COMPLETE A MASTER SITE DESIGN WITH PHASING RECOMMENDATIONS AND A WRITTEN PLANNING DOCUMENT FOR RENOVATION OF THE CITY'S PUBLIC WORKS COMPOUND]. 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 STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

6. City Council approval of Resolution No. R-22-2017, a Resolution amending the Personnel Policies and Procedures Manual Section 15.04 on Workers' Compensation to compensate an injured employee at full salary for the first three (3) weeks or 120 Hours. *Mary Jane Lundy*

Discussion ensued with the City Council regarding approval of Resolution No. R-22-2017 (see attachment marked Exhibit "H"), a Resolution amending the Personnel Policies and Procedures Manual, Section 15.04, on Worker's Compensation to compensate an injured employee at full salary from one (1) week to three (3) weeks or 120 hours as presented by Ms. Lundy. This involved only the prevention of lost wages. The injured worker would still receive medical attention. Council Member Royal requested Ms. Lundy track the number of cases beginning 10/01/16 so there would be a benchmark to look at during next year's budget workshops.

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO APPROVE RESOLUTION NO. R-22-2017, [A RESOLUTION AMENDING SECTION 15.04, WORKER'S COMPENSATION, OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL WITH AN EFFECTIVE DATE OF SEPTEMBER 1, 2017]. THE MOTION WAS SECONDED BY VICE MAYOR BUTLER. THERE BEING NO FURTHER DISCUSSION, THE MOTION WAS APPROVED BY THE FOLLOWING ROLL CALL VOTE: AYES – COUNCIL MEMBERS STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

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

a. Executive Summary Reports – July 2017.

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

The City Manager 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. Council Member Royal thanked City Staff, and the City Council concurred, for their efforts on the Budget.

Mayor Timberlake distributed a response (in red) to an e-mail he had received from Mike Kelter regarding the future Advanced Wastewater Treatment Facility. He had received no reply from Mr. Kelter for a list of the people to whom the e-mail was sent. He requested that it be posted to the City website.

Mayor Timberlake scheduled a workshop on October 17th at 5:00 p.m. to review the City's Vision Plan and the City Council concurred.

Ms. Judd advised the City Council that Chief Asdot had completed his Master's Degree and Ms. Clevinger had completed her AA Degree.

Adjournment.

There being no further business to come before the City Council, the meeting was adjourned at 8:31 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

Roy M. Timberlake, Jr., Mayor

Attest:

Julia W. Clevinger, City Clerk