

**MINUTES OF THE SEPTEMBER 19, 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, September 19, 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 Pastor Christian Pope, Springs Baptist Church, 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.

PUBLIC HEARINGS

- 1. Second and Final Reading on Ordinance No. O-06-2017, an Ordinance extending the Temporary Moratorium as set forth in City Ordinance No. O-16-2016 on the Operation of Medical Marijuana Treatment Centers and Licensed Dispensing Organizations within the City of Green Cove Springs for an Additional Period of Six (6) Months. *L. J. Arnold, III, Marlena Guthrie***

Mr. Arnold read the title of Ordinance No. O-06-2017 (see attachment marked Exhibit "A") into the record as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA, EXTENDING A TEMPORARY MORATORIUM ON THE OPERATION OF MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES WITHIN THE CITY OF GREEN COVE SPRINGS FOR AN ADDITIONAL PERIOD OF SIX (6) MONTHS UNLESS RESCINDED OR EXTENDED BY A SUBSEQUENT ORDINANCE, OR BY A SUBSEQUENT AMENDMENT TO THE CITY'S LAND DEVELOPMENT REGULATIONS

REGARDING THE REGULATION OF MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES; PROVIDING FOR REPEALER, SEVERABILITY, AND SETTING AN IMMEDIATE 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 ORDINANCE NO. O-06-2017, ON SECOND AND FINAL READING. 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.

2. **Second and Final Public Hearing and approval of Resolution No. R-30-2017, a Resolution in compliance with Florida Statute 200.065 establishing a Millage Rate of \$3.6000 Per Thousand of Non-Exempt Real Property within the City of Green Cove Springs, Florida for Fiscal Year 2017/2018. *Marlena Guthrie***

Per State Statutes, Ms. Guthrie read the following information from her Staff Report:

“The first issue to be discussed at the public hearing on the final millage rate is the percentage increase in millage over the rolled back rate. The Council approved a tentative millage rate of 3.6000 mills at the first public hearing on September 5, 2017. The tentative millage rate of 3.6000 mills is an increase of 2.15% of the rolled-back rate of 3.5243. At all hearings, the Council shall hear comments regarding the millage rate and citizens shall be allowed to speak and ask questions prior to the adoption of any measures by the Council. A 3.6000 millage rate will generate \$1,432,576 in ad valorem taxes.

A copy of the Notice of Proposed Tax Increase that appeared in the ClayToday Newspaper on September 14, 2017 is attached for your information.

By law, an agency must budget at least 95% of the ad valorem taxes to be assessed. However, based on historical data of collections, the city has budgeted 97%, or \$1,389,599 for Fiscal Year 2017/2018.”

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 RESOLUTION NO. R-30-2017 (SEE ATTACHMENT MARKED EXHIBIT “B”), A RESOLUTION ESTABLISHING THE MILLAGE RATE FOR FISCAL YEAR 2017/2018 AT 3.6000 PER THOUSAND WHICH IS AN INCREASE OF 2.15% OVER THE ROLL BACK RATE OF 3.5243. 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.

3. Second and Final Public Hearing and approval of Resolution No. R-31-2017, a Resolution setting forth the Annual Budget for Fiscal Year beginning October 1, 2017 and ending September 30, 2018. *Marlena Guthrie*

Per State Statutes, Ms. Guthrie read the following information from her Staff Report:

“The second issue to be discussed at the public hearing on the millage rate and the budget is the Annual Operating Budget. At all public hearings, the Council shall hear comments regarding the budget and citizens shall be allowed to speak and ask questions prior to the adoption of any measures by the Council. The total annual operating budget for the City of Green Cove Springs for Fiscal Year 2018 is \$33,439,715 which is \$2,260,269 more than Fiscal Year 2017. The \$2,260,269 increase is being driven by the Capital Improvement Projects in the Electric Fund, the Wastewater Fund, and the newly created Reclaimed Water Fund.

A copy of the Budget Summary that appeared in the Clay Today Newspaper on September 14, 2017 is attached for your information. You will note that the header does state a percentage increase of 7.3% more than last year.

A total budget for all Funds, once again, is \$33,439,715 of which \$8,426,544 is the General Fund, \$13,866,579 is the Electric Fund, \$2,078,798 is the Water Fund, \$4,750,140 is Wastewater Fund, \$827,600 is the Sanitation Fund, \$453,497 is the Customer Service Fund, \$952,347 is the Stormwater Fund, \$1,550,000 is the Reclaimed Fund, \$277,550 is the Building Fund, \$15,000 is the Special Law Enforcement Trust Fund, \$160,175 is the Debt Service Fund for the Police EOC, and \$81,535 is the Debt Service Fund for Spring Park.

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

A MOTION WAS MADE BY COUNCIL MEMBER KELLEY TO APPROVE RESOLUTION NO. R-31-2017 (SEE ATTACHMENT MARKED EXHIBIT “C”), A RESOLUTION SETTING FORTH THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2018. THE MOTION WAS SECONDED BY VICE MAYOR BUTLER.

Council Member Royal reminded the audience that the City Council and Staff had spent four (4) days in August meeting and going over the line items of the budget.

Mayor Timberlake also noted there were legal requirements for specific language to be used when presenting the budget.

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.

4. Second and Final Public Hearing and approval of Resolution No. R-32-2017, a Resolution setting forth the Annual Capital Improvement Plan for Fiscal Years beginning October 1, 2017 to September 30, 2022. *Marlena Guthrie*

Per State Statutes, Ms. Guthrie read the following information from her Staff Report:

“The third issue to be discussed at the City of Green Cove Springs public hearing on the millage rate and the budget is the Five Year Capital Improvement Plan. A copy of the Five Year Capital Improvement Plan for Fiscal Years 2018 through 2022 is included herewith. At all public hearings, the Council shall hear comments regarding the budget and citizens shall be allowed to speak and ask questions prior to the adoption by the Council. The total budget for the Capital Improvement Plan for Fiscal Year 2018 for all funds is \$8,830,215.

A copy of the Notice of Public Hearing On The Capital Improvement Plan that appeared in the Clay Today Newspaper on September 14, 2017 is attached for your information.

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-32-2017 (SEE ATTACHMENT MARKED EXHIBIT “D”), A RESOLUTION SETTING FORTH THE ANNUAL CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS BEGINNING OCTOBER 1, 2017 TO SEPTEMBER 30, 2022. 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.

Mayor Timberlake advised he would address the Consent Agenda prior to recognizing members of the audience who wished to address the Council.

CONSENT AGENDA

1. **City Council approval of the State of Florida Contract # 44102100-17-1 for a DM125 Digital Mailing System with Pitney Bowes effective September 9, 2017 through September 8, 2021.**

Mayor Timberlake requested a motion on the Consent Agenda.

A MOTION WAS SO MOVED BY VICE MAYOR BUTLER [TO APPROVE CONSENT AGENDA ITEM 1 LISTED ABOVE]. 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.

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

Mayor Timberlake recognized Dale Garlinghouse, 103 S. Magnolia Avenue, Green Cove Springs, who apologized for his behavior immediately after the storm and expressed his thanks to the City Council, the Police Department, and City Staff for their efforts, help, and a job well done during and after Hurricane Irma.

COUNCIL BUSINESS

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

- a. **Update on Hurricane Irma.**

Ms. Judd gave an update on Hurricane Irma. She also had a video prepared of pictures taken of the damages sustained in the City after the Hurricane which was played for the City Council and audience. She also requested that any licensed contractors contact her such that they could donate their services to those in need.

In addition, Mr. Null gave an overview of the City's preparations and recovery efforts.

- b. **Resolution No. R-33-2017, a Resolution to extend Proclamation of Local Emergency.**

Discussion ensued with the City Council regarding approval of Resolution No. R-33-2017 (see attachment marked Exhibit "E"), a Resolution to extend [the] Proclamation of Local Emergency for an additional seven (7) days as presented by Ms. Judd.

Mayor Timberlake requested a motion to approve the Resolution.

COUNCIL MEMBER LEWIS MADE A MOTION TO APPROVE. 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 STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

Discussion continued regarding collection and removal of storm debris. At this point, debris would be transferred to the Rosemary Hill Landfill.

Mayor Timberlake recognized John Whiteman, 723 N. Magnolia Avenue, Green Cove Springs, who expressed his frustration with how the City had communicated with the citizens and believed that notice of the emergency City Council meeting on September 12th had not been communicated to the public properly due to electric and internet outages and pointing out that not everyone had access to Facebook or Twitter. In addition, he expressed his disapproval that, after several phone calls to report it, it had taken a Facebook post to get a live electric line taken care of at the home of Peter Swanson. He did not like the notice that was displayed at City Hall stating City Hall was closed and believed that City Hall should have been staffed with at least two (2) City employees after the storm. Finally, Mr. Whiteman was troubled that the City Manager had shut down a food truck that had parked at the former Rich's Bar-b-que when the owner, he believed, was simply wanting to help feed the community after the storm. He stated that he hoped the City Council would accept his comments as constructive criticism so improvements could be made.

Mayor Timberlake advised Mr. Whiteman that the City Council meeting had been properly noticed according to State law with the addition to being posted to the City's Facebook and Twitter accounts and he believed that it was the responsibility of the residents to look for information relating to the City. Ms. Judd noted that a local business owner in operation had reported the food truck, and because they were not allowed in the City limits, she had no recourse but to shut them down.

Council Member Kelley expressed his appreciation to the City Staff and community for coming together to help each other.

In light of the tragic incident in South Florida regarding the deaths of several elderly patients at a nursing home, Council Member Royal suggested the City come up with an "Elderly Care" list that the City, other faith-based organizations, or chains of volunteers could use to check on the elderly residents in the City. He also suggested that the Public Service Announcements (PSA) be posted in several public locations around the City. He commended the City Staff for their efforts noting mistakes will be made but the City will do better.

Council Member Lewis commended the communication efforts made by the City but recounted that when people wanted small government, the resources of human beings were not available to get the information out. She had received calls from citizens and messages were passed along to the proper people. The City Staff had worked 24/7, did the best they possibly could, and she wished more people had reached out.

Vice Mayor Butler concurred and thanked City Staff and the Alabama electric crews for the excellent job everyone had done and was grateful for the comradery she had witnessed among the citizens.

Mayor Timberlake recognized Scott Smith, 600 St. Johns Avenue, Green Cove Springs, who expressed his gratitude to the City for their management during and after the storm.

c. Recognition of City Employees, Hooper Corporation, and Evergreen and Troy, Alabama.

It was noted that the electric crews from Alabama had already left to return home.

Mayor Timberlake advised that several local organizations had approached him about sponsoring a luncheon as a “Thank You” to the City, Police, and City Staff. He stated donations were coming in and requested any other donations be sent in via the Finance Department. A luncheon would be scheduled for a future date in Spring Park.

After hearing a comment in the community that City workers were paid to work 18-hour days, he categorically denied this reminding everyone that they did it because they felt it was the right thing to do. In addition, on Monday, while the residents were cleaning their own yards, City Staff had left their families, were still working and taking calls from not so pleasant people, and had not yet begun to clean their own yards. The City would recognize the City workers and a date would be announced later.

After a conversation with the Governor and Rep. Yoho, Mayor Timberlake reminded everyone to be aware of insurance scams and unlicensed contractors.

Finally, he suggested that everyone find someone they could help clean up. You wouldn't have to look real far!

2. City Council Reports and/or Correspondence.

The City Manager advised of the City's Breast Cancer Awareness Team. The 5K Walk would be held at Moosehaven on Saturday, October 14th.

Adjournment.

There being no further business to come before the City Council, the meeting was adjourned at 8:12 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

Roy M. Timberlake, Jr., Mayor

Attest:

Julia W. Clevinger, City Clerk