

**MINUTES OF THE APRIL 17, 2018 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, April 17, 2018, 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 Joe Sobotta, 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, Chief of Police
John Cioffi, Building Official
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.
Tiffanie Reynolds, Communications Coord.
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.**

See below.

PUBLIC HEARINGS

- 1. First Reading and Public Hearing on Ordinance No. O-03-2018, an Ordinance of the City Council of the City Of Green Cove Springs, Florida adding a Definition of Drugs / Drug Sales to City Code Section 86-3 to Include Medical Marijuana Treatment Center Dispensing Facility (“MMTC”) and a definition of MMTC; and creating a New City Code Section 102-421 entitled “Conditions for a Medical Marijuana Treatment Center Dispensing Facility”; Providing for Codification, Repealer, Severability, and Setting an Effective Date.**

Mr. Arnold read the title of Ordinance No. O-03-2018 into the record as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREEN COVE SPRINGS, FLORIDA ADDING A DEFINITION OF DRUGS / DRUG SALES TO CITY CODE SECTION 86-3 TO INCLUDE MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITY (“MMTC”) AND A DEFINITION OF MMTC; AND CREATING A NEW CITY CODE SECTION 102-421 ENTITLED “CONDITIONS FOR A MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITY”; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

Mayor Timberlake reviewed the reasons behind this Ordinance as per the State’s legislative vote.

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

Discussion ensued with the City Council regarding Ordinance No. O-03-2018 as presented by Mr. Arnold and Ms. Fleet. In response to Council Member Royal’s inquiry, Ms. Fleet explained how the City Code could be amended to exclude the RPO, CBD, and Gateway Corridor zoning designations due to his concerns regarding retail sales. Following further discussion, Ms. Fleet advised that she would add this item for discussion by the Planning & Zoning Board for their April 24th meeting.

A MOTION WAS MADE BY COUNCIL MEMBER ROYAL TO APPROVE ORDINANCE NO. O-03-2018 ON FIRST READING AS TO FORM ONLY AND SET THE PUBLIC HEARING FOR SECOND AND FINAL HEARING OF THE ORDINANCE FOR MAY 15, 2018. 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, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – PAMELA J. LEWIS.

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

Mayor Timberlake recognized the following for comments:

1. Paul Sims, 3124 Fieldcrest Drive, Middleburg, who gave a brief overview of the services provided for Google Street View through American Marketing Publishing.
2. Carolyn Harrell, 1514 Julia Street, Green Cove Springs, who expressed her frustration with her neighbor’s barking dogs. Ms. Judd advised that the Police Chief and Code Enforcement would address the situation immediately.
3. Ed Gaw, 1 Elmore Street, Green Cove Springs, who gave a brief overview of the success of the Food Truck Friday event held on April 13, 2018 and the next planned event to be held on May 11, 2018. Mr. Gaw thanked the City for their support of this event.

CONSENT AGENDA

1. City Council approval of the Minutes for the Special and Regular Sessions on April 3, 2018.
2. City Council approval of Resolution No. R-06-2018 (see attachment marked Exhibit "A) a Resolution cancelling and rescheduling the regularly scheduled meetings of the Green Cove Springs City Council for July 2018 through January 2019.
3. City Council approval of Resolution No. R-07-2018 (see attachment marked Exhibit "B"), a Resolution amending Resolution No. R-11-2013, naming alternate Local Hearing Officers for red light camera cases and alternate Code Enforcement Special Magistrates.
4. City Council approval of the After Action Report for the Augusta Savage Cultural Arts Festival.
5. City Council approval for the first additional one year extension of services for Bid No. 03-17-02, Water & Wastewater Chemicals, to Hawkins, Inc. effective May 2, 2018 to May 1, 2019 with the option to renew for an additional three (3) one-year terms and authorization for the Mayor to execute the Professional Services Agreement. \$120,000 is the FY 18 budget for chemicals used in the treatment of water and wastewater.
6. City Council approval of a purchase order to Guardian Fueling Technologies for the sum of \$19,623.20 to replace two fuel pumps at the Public Works Compound.
7. City Council approval of the purchase of a Freightliner AA55 bucket truck for the sum of \$169,940.00 from Altec Industries, Inc.
8. City Council approval of the purchase of playground and other equipment for the sum of \$47,978.85 from Playworx Playsets for installation at Vera Francis Hall (VFH) Park and the Augusta Savage Arts and Community Center (ASACC).
9. City Council approval to surplus electric transformers and oil switches and dispose of them at a cost of \$947.88 to Emerald Transformers.
10. City Council approval of 201800229, a Gateway Corridor and Central Business District Matching Grant Application for \$5,000 for a Monument Sign for the property located at 714 North Orange Avenue for Toco Engineering.
11. City Council approval to piggyback on the City of Milton, Florida's, RFP #2017.10.014, Utility Billing Services-Outsourcing, and authorize the Mayor to execute the Agreement for utility billing and printing services between the City of Green Cove Springs and Municode for the period beginning April 17, 2018 through April 16, 2021, with the option to renew for additional twelve (12) month periods. \$32,000 is the FY 18 budget for Municode utility billing and printing services.
12. City Council approval of the Scope of Engagement with Bryant Miller Olive for the Proposed Issuance of the City of Green Cove Springs, Florida Electric Utility Revenue Note, Series 2018. The legal fees will be in the amount of \$20,000 to \$25,000, plus actual expenses from the proceeds of the Note.
13. City Council review and approval of the Final Plat for the La Casa Del Rio Subdivision.

14. **City Council approval of the Scope of Engagement with PFM Financial Advisors LLC (“PFM”) for the Proposed Issuance of the City of Green Cove Springs, Florida Electric Utility Revenue Note, Series 2018. The PFM Financial Advisors LLC fees will be in the amount of up to \$15,000 plus actual expenses from the proceeds of the Note.**
15. **City Council approval for the Allocation of Building Department Resources: Building Inspector 1 Part Time Position at an estimated cost of \$18,000.**
16. **City Council approval of Pay Request No. 7 in the amount \$360.00 to Mittauer & Associates for Design, Engineering and Geotechnical work for the replacement of a water main under U.S. 17 & S.R. 16 East, bringing the total invoiced amount up to \$29,228 out of a \$37,500 task order.**
17. **City Council approval of Payment No. 7 to Mittauer & Associates for \$720.00, for design, engineering, permitting, and project management for the Magnolia Point water utility interconnect between the Clay County Utility Authority and the City, bringing the total paid up to \$17,598 out of this \$18,000 task order.**
18. **City Council approval of Final Pay Request No. 2 to Jax Utilities Management in the amount of \$139,090.72, out of the total Purchase Order amount of \$246,825.00 for repair and relocation of the water main at the intersection of SR 15 (US 17) and SR 16. This payment includes approval for payment of Change Order No. 1 in the amount of 15,678.22 (emergency) for installation of a replacement valve and repair of a damaged water main.**

The following Consent Agenda Items were pulled for discussion:

Mayor Timberlake – Consent Agenda Item No. 4;
Council Member Royal and Vice Mayor Butler – Consent Agenda Item No. 8;
City Attorney Arnold – Consent Agenda Item No. 11; and
Council Member Kelley – Consent Agenda Item No. 15.

A MOTION WAS MADE BY VICE MAYOR BUTLER TO APPROVE CONSENT AGENDA ITEMS 1, 2, 3, 5, 6, 7, 9, 10, 12, 13, 14, 16, 17, AND 18 AS 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.

Consent Agenda Item No. 4 – Mayor Timberlake recognized Eugene Francis, 615 Walburg Street, Green Cove Springs, who gave an overview of the Festival, plans for the 2019 Festival, and thanked the City for their support of the event.

A MOTION WAS MADE BY VICE MAYOR BUTLER TO APPROVE CONSENT AGENDA ITEM NO. 4 AS LISTED ABOVE. 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 STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

Consent Agenda Item No. 8 – Council Member Royal thanked the City Administration for pursuing the grant to purchase the playground equipment. Vice Mayor Butler concurred and acknowledged the community involvement in cleaning up and making the parks look better.

A MOTION WAS MADE BY COUNCIL MEMBER LEWIS TO APPROVE CONSENT AGENDA ITEM NO. 8 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. 11 – City Attorney Arnold advised that additional language relating to sovereign immunity and Florida's Public Records Law would need to be included in the contract with MuniCode. He would provide this to Ms. Clevinger.

Mayor Timberlake requested a motion to approve Item No. 11 with the additional five (5) paragraphs.

A MOTION WAS SO MADE BY VICE MAYOR BUTLER. 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 STEVEN R. KELLEY, PAMELA J. LEWIS, B. VAN ROYAL, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE.

Consent Agenda Item No. 15 – Council Member Kelley recognized the hard work by the Building Official. In response to his inquiry, Mr. Cioffi acknowledged the increase in commercial and residential permitting.

A MOTION WAS MADE BY COUNCIL MEMBER KELLEY TO APPROVE CONSENT AGENDA ITEM NO. 15 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.

Mayor Timberlake recognized the following for comment:

1. Introduction of J. J. Harris, 1845 Town Center Blvd., President of the Clay Florida Economic Development Corporation. Mayor Timberlake requested he meet with the City Manager regarding the City's incentive programs.
2. Kimberly Thomas who gave a brief overview of the City's "Team Cove Life" who would be participating in the Relay for Life event for the American Cancer Society to be held on April 28th at the Orange Park Town Hall Park from 10:00 a.m. to 10:00 p.m.
3. Introduction of Tiffanie Reynolds, the City's new Communications Coordinator.

COUNCIL BUSINESS

- 1. City Council acceptance of Public Works Compound Master Site and Phasing Plans and consideration of acceleration of work schedule. *Mike Null***

Discussion ensued with the City Council regarding acceptance of the Public Works Compound Master Site Plan and Phasing Plans and consideration of acceleration of the work schedule (main office building only) as presented by Mr. Null and Wendell Hall, Bhide and Hall Architects. The buildings were constructed in 1965 and therefore, did not meet current construction codes.

Due to damage and roof leaks from Hurricane Irma in September 2017, environmental concerns (mold) had been discovered behind every wall of the Administrative Offices. As a result, the entire office personnel and IT equipment had been moved to the breakroom (a triple-wide mobile home building that was donated by the Magnolia Point Golf Club in 2012) on March 18th.

Mr. Hall reviewed the phasing plans of the Master Plan based on the design previously approved by the City Council and recently revised by City Staff. He reminded that costs would also continue to rise.

Council Member Royal expressed his concerns with the proposed cost per square foot. It was also suggested that the City hire a Construction Manager to save money as they had with the construction of the Police Station. It was a consensus among the Council Members that the necessity to move this project forward was imperative due to the presence of mold in the Administrative Offices.

A MOTION WAS MADE BY COUNCIL MEMBER ROYAL TO MOVE FORWARD WITH THE SITE PLAN AS DEVELOPED AND STAFF TO BEGIN LOOKING AT POSSIBLE WAYS TO FINANCE PHASE I; AND IDENTIFY A CONSTRUCTION MANAGEMENT GROUP, INTERVIEW THEM, AND NARROW IT DOWN FOR THEM TO COME IN AND HELP US THROUGH THE PROCESS. 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.

2. Annexation Report to Clay Board of County Commissioners – Five Commercial Properties Along US 17/Orange Avenue. *Danielle J. Judd, Janis Fleet*

Discussion ensued with the City Council regarding the Annexation Report to the Clay County Board of County Commissioners as presented by Ms. Judd and Ms. Fleet. Ms. Judd distributed a revised chart detailing the estimated annual costs to the five (5) commercial properties located along U.S. Hwy. 17 (State of Florida/CCSO, E-Z Food Stop, Huntley – Vacant Lot, Verizon Wireless, and Advance Auto Parts). Ms. Fleet also advised that she has been in communication with the property owners and felt confident that she would have voluntary annexation applications from all five (5) within a month.

Council Member Kelley applauded Ms. Judd and Ms. Fleet for an excellent report and spreadsheets.

A MOTION WAS MADE BY COUNCIL MEMBER KELLEY TO AUTHORIZE THE ADMINISTRATION TO TRANSMIT THE ATTACHED ANNEXATION REPORT TO THE CLAY BOCC AND BEGIN THE PROCESS TO SCHEDULE PUBLIC HEARINGS FOR THE PROPOSED FIVE (5) COMMERCIAL PARCELS IN ACCORDANCE WITH THE FLORIDA STATUTES. 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.

3. Review of Community Visioning Report. *Janis Fleet*

Discussion ensued with the City Council regarding a review of the Community Visioning Report as presented by Ms. Fleet. After further discussion, and at the request of Mayor Timberlake, a workshop would be scheduled. The City Council would present their top priority items. The City Manager would coordinate the dates Council Members would be available.

4. City Council review and approval of City Attorney L. James Arnold's April 1, 2017 through March 30, 2018 Performance Evaluation. *Mary Jane Lundy, Roy M. Timberlake, Jr.*

Discussion ensued with the City Council regarding review and approval of City Attorney L. James Arnold's April 1, 2017 through March 30, 2018 Performance Evaluation as presented by Ms. Lundy and Mayor Timberlake. Mayor Timberlake directed Ms. Lundy to investigate a common grading scale for the forms used for the Charter Officers.

Ms. Judd strongly suggested the City use an ICMA approved evaluation form for the City Manager position. Ms. Lundy said she would research possible new evaluation forms.

Council Member Royal advised he had not completed an evaluation on Mr. Arnold and would recuse himself from the vote because Mr. Arnold's wife was a business partner and he conducted a lot of real estate business with his law firm.

Mayor Timberlake requested a motion to accept the April 1, 2017 through March 30, 2018 Performance Evaluation results for City Attorney Arnold.

A MOTION WAS SO MADE BY VICE MAYOR BUTLER. 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, CONSTANCE W. BUTLER, AND ROY M. TIMBERLAKE, JR., MAYOR. NAYS – NONE. RECUSED – B. VAN ROYAL (SEE FORM 8B ATTACHED AS EXHIBIT "C").

5. City Council approval of appointments to the 2018 Charter Review Committee. *Julia W. Clevinger*

Discussion ensued with the City Council regarding approval of appointments to the 2018 Charter Review Committee as presented by Ms. Clevinger. Appointments from Mayor Timberlake, Vice Mayor Butler, and Council Member Lewis were included in the Staff Report. Ms. Clevinger advised that Council Members Kelley and Royal had presented their confirmed appointments to her prior to the meeting. They were:

Council Member Royal – Nash Stuart and Josh Danley
Council Member Kelley – Luke Byrne and Joe Sobotta

Mayor Timberlake requested a Motion to approve City Council appointments of two (2) registered electors of the City (two (2) per Council Member) to serve on the 2018 Charter Review Committee with the City Attorney, City Clerk, and City Manager providing advisory support to the Committee.

A MOTION WAS SO MADE BY COUNCIL MEMBER LEWIS. 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.

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

a. Executive Summary Reports – March 2018.

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

7. City Council Reports and/or Correspondence.

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

The City Council was unanimous in its compliments to City Staff and how hard they worked to move the City forward.

Council Member Royal requested the City Manager consider the possibility of opening the City Pool on Friday, May 11th for the next Food Truck Friday event.

Adjournment.

There being no further business to come before the City Council, the meeting was adjourned at 9:40 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

Roy M. Timberlake, Jr., Mayor

Attest:

Julia W. Clevinger, CMC, City Clerk