

CITY OF GREEN COVE SPRINGS CITY COUNCIL REGULAR SESSION

321 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA
TUESDAY, MARCH 04, 2025 – 6:00 PM



MINUTES

Invocation & Pledge of Allegiance to the Flag - **Pastor Phil Jacobs, Praise in the Park**

Roll Call

COUNCIL MEMBERS PRESENT: Mayor Steven Kelley, Vice Mayor Thomas Smith, Council Member Connie Butler, Council Member Ed Gaw, Council Member Matt Johnson

STAFF MEMBERS PRESENT: L.J. Arnold, III, City Attorney, Steve Kennedy, City Manager, Mike Null, Assistant City Manager, Erin West, City Clerk

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

1. Felicia Hampshire 508 Franklin St. speaks to the Council about the upcoming Women's History Month event being held at the VIA that will recognize 32 ladies from Green Cove Springs.

AWARDS & RECOGNITION

1. Police Department Awards - *Interim Chief Hines*
Blue Knight Award – Det. Barbara Luedtke, Ofc. Nicholas Rulon
Dispatcher of the Year 2020-Carri Rulon
Chief's Commendation- Ofc. Neal Newton, Dispatcher Brandi Acres
Medal of Merit- Sgt. Chris Hess
Interim Chief Hines speaks and presents the awards.
2. Proclamation - Florida Government Finance Professionals Week
Mayor Kelley reads the proclamation and presents it to the Finance Director Sue Wang.
Ms. Wang speaks about the department and introduces the staff.

PRESENTATIONS

3. FMPA - March 2025 *Bob Page*
Mr. Page presents the March report.
Council Member Gaw asks Mr. Page about peak pricing.
Mr. Page advises peak pricing is used more when utilities are looking for shift loads for capacity reasons.
Discussion followed concerning peak pricing and electrical costs.

CONSENT AGENDA

All matters under the consent agenda are considered to be routine by the city council and will be enacted by one motion in the form listed below. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately. Backup

documentation and staff recommendations have been previously submitted to the city council on these items.

Council Member Butler pulled items 7 and 8

Motion to approve Consent Agenda items 4 through 13 minus 7 and 8.

Motion made by Council Member Johnson, Seconded by Vice Mayor Smith.

Voting Yea: Mayor Kelley, Vice Mayor Smith, Council Member Butler, Council Member Gaw, Council Member Johnson

4. City Council approval of pay application #7 to Kirby Development, Inc. In the amount of \$231,803.85, for the Julia Street Stormwater Improvement Project. **Greg Bauer**
5. City Council approval of Pay Application #11 for the West Street CDBG Stormwater Improvements and Highland Sidewalk Improvements to Besch and Smith in the amount of \$2,670.98. **Greg Bauer**
6. City Council approval of Final Retainage Pay Application #12 for the West Street CDBG Stormwater Improvements and Highland Sidewalk Improvements to Besch and Smith in the amount of \$236,618.31. **Greg Bauer**
7. City Council ratification of funding in the amount of \$100,000.00 to General Underground for an emergency replacement of a 12" water main under County Road 209 North (Russell Road) at the intersection of US17, and authorization for an exemption to the normal procurement process (formal bid). **Scott Schultz**

Council Member Butler requests more information for this item.

Assistant Utilities Director Scott Schultz advises initially, it appeared that the utilities, located south of the road, did not need to be moved as the expansion was heading north. However, as the project progressed, storm pipes interfered with existing utility pipes, necessitating adjustments at three locations, funded by the county since the utilities were within their easement. This oversight should have been identified earlier by the engineer. Further complications arose near Highway 17, where a stormwater pipe invert was found resting on a recently relocated utility pipe, revealing that the utility pipe was only 22 inches below the asphalt—insufficient clearance for a pipe over 20 years old. Typically, such pipes under major roads are sleeved for protection, but this one was not. Faced with the pipe's proximity to the surface and the road widening project's scale, a decision was made to drill under and relocate the utility entirely, despite uncertainty over responsibility. This became urgent to avoid delaying the contractor and potential damage claims, compounded by questions about why a 12-inch water main was installed in such a manner originally.

Motion to approve Consent Agenda items 7 and 8.

Motion made by Council Member Butler, Seconded by Council Member Johnson.

Voting Yea: Mayor Kelley, Vice Mayor Smith, Council Member Butler, Council Member Gaw, Council Member Johnson

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8. City Council approval to declare items removed from the vacant / unfinished office area upstairs in City Hall as surplus to be disposed of in the best interest of the City, and authorize donation of two (2) glass display cases to the Clay County Historical Society. **Scott Schultz**
Council Member Butler asks if these are the display cases that were being held for the archive room.
Assistant Utilities Director Scott Schultz advises these are from the upstairs storage room cleanout.
- Motion to approve Consent Agenda items 7 and 8.**
Motion made by Council Member Butler, Seconded by Council Member Johnson.
Voting Yea: Mayor Kelley, Vice Mayor Smith, Council Member Butler, Council Member Gaw, Council Member Johnson
9. City Council approval of Sawcross (Tender Contractor) Change Order #2 in the amount of \$30,578.23 for sludge processing improvements for the Florida Department of Environmental Protection (FDEP), State Revolving Fund (SRF), Harbor Road Water Reclamation Facility (WRF) Expansion, Phase 2, SRF Agreement No. WW1000420. **Scott Schultz**
10. City Council review and approval of street closure requests and fee waiver requests for a Major Event, CalaVida Festival. **Michael Daniels**
11. City Council approval of the Law Enforcement Mutual Aid Agreement with the Clay County Sheriff's Department **Interim Chief Hines**
12. City Council approval of the Communicating with the Public Guidelines. **Heather Fincher**
13. City Council authorization to submit a Florida Boating Improvement Program (FBIP) grant application to the FWC to fund completion of the City Pier extension and approval of Resolution R-03-2025, authorizing the City Manager or Assistant City Manager to sign and submit same. **Mike Null**

COUNCIL BUSINESS

14. City Council update on the construction of the Harbor Road Advanced Wastewater Treatment Facility (HRAWWTF). **Scott Schultz**
City Attorney Arnold updates on the litigation. The takeover agreement was made where the contractor and insurance company paid a new contractor to finish a job, which included provisions for liquidated damages, latent defects, and a pre-suit mediation. Mr. Arnold advises in a previous lawsuit, mediation failed, but the city prevailed. Mr. Arnold expects the city to win against the insurance company for damages estimated at \$400,000-\$600,000. Despite months of effort with the insurance company's unresponsive lawyers from New Jersey, a mediator has been chosen, and a pre-suit mediation date is being set for about two months from now. If resolved, the city council must approve the settlement; if not, litigation could take 1-2 years and cost hundreds of thousands. Florida law requires mediation before a judge or jury trial, and sometimes multiple mediations occur, though in a recent big case, additional mediations were futile as the other side was intent on litigating fully.
Council Member Gaw advises he recently attended the First Coast Expressway Summit, where towards the end a question was raised about the testing frequency for PFOS, a type of "forever

chemical," and the current status of these chemicals in the area. The question referenced Merle's Inlet, a location involved in an ongoing lawsuit related to chemical testing or contamination. Mr. Gaw asks Assistant Utilities Director Scott Schultz, where Green Cove Springs stands?

Assistant Utilities Director Scott Schultz speaks to the Council about PFOS and advises it is a type of "forever chemical" originating from firefighting foam, water-resistant materials, and Teflon. Utilities can expose customers to PFOS through reclaimed water used for irrigation or by applying wastewater treatment sludge containing these chemicals to land, as the sludge has nutrients like nitrogen and phosphorus that are valuable as fertilizer. Mr. Schultz advises the city pulls water from the Florida aquifer, which is protected by a deep, live rock surface. They partnered with the EPA to test water samples from two treatment plants (Reynolds and Harbor Road), and all results were below detection limits. Mr. Schultz advises reclaimed water is currently only used to irrigate a golf course at Magnolia Point.

Mayor Kelley asks Mr. Schultz for an update on the new Wastewater Treatment Plant.

Mr. Schultz advises the wastewater treatment plant that is two years behind schedule. They are currently circulating reclaimed water and calibrating instruments to analyze factors such as pH, chlorine, and dissolved oxygen. The plant is nearly ready to be put into service, but they want to ensure everything runs smoothly first. The last piece is integrating the instruments' data onto a computer screen in the control room and setting up alarms for remote monitoring. Mr. Schultz advised that he expects the plant to be online within a month, although additional work like landscaping, paving, and fencing will still need to be completed. The plant must be finished by June to secure funding for phase three, which involves bringing the south plant to Harbor Road. The project also included constructing a large metal building for the line crew, with offices and garage doors. However, there were issues with the construction companies involved. Williams, the initial contractor, filed for bankruptcy, and Cardinal took over. After completion, heavy rains caused water to enter the offices due to roof problems. Cardinal assessed the situation and recommended replacing the entire roof. To save money, staff decided to handle the roof replacement themselves, purchasing materials from Nucor. However, Cardinal delayed the installation by two months, prompting the speaker to find another certified contractor through Nucor. This new contractor assessed the roof and offered to fix the issues for \$2,500 without replacing the entire roof.

Vice Mayor Smith expressed his gratitude to Mr. Schultz for his hard work and dedication in the new treatment plant while also managing multiple responsibilities.

Mayor Kelley reflected on his first major decision as a council member nine years ago regarded the Wastewater Treatment Plan. He praised Mr. Schultz for doing an incredible job under unforeseen circumstances.

Mr. Schultz advised over the past three and a half years, the cost of a wastewater treatment plant project has risen significantly from \$15 million to \$45 million. With an additional \$9 million in grants, it's expected to be a highly successful "slam dunk" project when completed.

15. Affordable Housing Incentives *Michael Daniels*

Development Services Director Michael Daniels presents on affordable housing.

Mayor Kelley discusses various urban planning and development issues in Green Cove, the densest area in Clay County. He emphasized the need to improve the city's efficiency and structure as it grows, with new employers arriving and the necessity for affordable housing options. Mayor Kelley asks for thoughtful consideration of these issues to make Green Cove more functional, walkable, and equitable as it develops.

Clay County Habitat Director Carolina Morrow discusses the importance of affordable housing, not just in Clay County, but across the country. Ms. Morrow advises that increasing housing density will allow more homes to be built, accommodating the local workforce who currently cannot afford to live where they work. This commuting adds to their expenses and inconvenience, prompting a desire to live closer to their jobs. Affordable housing initiatives would help retain community members and their economic contributions locally. Ms. Morrow praises the cooperative and friendly nature of the Planning and Zoning Department in Green Cove compared to her experience in other places. She speaks about innovative housing solutions, like converting garage spaces into additional living units (e.g., backyard cottages or "granny flats") to increase housing options and suggested building small clusters of 10-12 homes to foster community, managed by a homeowners' association (HOA). Unlike typical HOAs, these would focus on supporting homeowners in maintaining their properties rather than imposing strict rules. Ms. Morrow suggests ideas that include replacing garages with carports or larger driveways that can accommodate two cars more than a standard garage.

Mayor Kelley discusses the benefits of creative urban planning in fostering a sense of community while improving functionality and quality of life, rather than maximizing profit through high-density development. He highlighted reimagining parking solutions. He emphasized the goal isn't to build edge-to-edge, multi-story developments with large, expensive units (e.g., 2,500 square feet), but to focus on approachability and functionality.

Council Member Gaw questions are we talking hundreds of units? Are we talking thousands of units? Realistically, a city with the density of Green Cove and, you know, few vacant lots remain, where are we?

Mr. Daniels advises with all the property that's owned for commercial or industrial, with the Live Local Act. All of those properties can develop with affordable housing, and they can go to the maximum density within the city. So essentially, you'd be looking at Reynolds Park, which is really significantly high density.

Mayor Kelley discusses the potential for redevelopment and improvement of existing infrastructure in Green Cove Springs, particularly in low-income areas with older, inefficient homes.

Council Member Butler discussed if a home is being repaired then the requirement to have a closed-in garage should be waived. She also discusses additional units like mother-in-law suites, expressing concern about the compact nature of their community.

Mayor Kelleys discusses the benefits and challenges of a form-based code that governs development in the city's dense center. He appreciates how the code provides clarity on how certain uses, like drive-throughs, storage facilities, and banks, will function within the city limits, making them more comfortable with these developments rather than outright rejecting them.

Ms. Morros discusses the benefits of garages for homeowners, particularly in relation to rising insurance costs in Florida due to risks like flooding and hurricanes. She emphasized that garages are functional, finding creative solutions to reduce expenses is crucial for affordability, especially since insurance rates and taxes—factors beyond homeowners' control—keep increasing.

Council Member Gaw asks if the mortgages are commercial or there is special financing available for Habitat?

Ms. Morrow advised the program, similar to Habitat International, partners with the USDA (specifically the 502 USDA section) to help homeowners secure affordable mortgages. It also utilizes SHIP (State Housing Initiatives Partnership) funding. If USDA funding isn't available or the individual doesn't qualify, the program can carry the mortgage itself, setting payments at

30% of the homeowner's income, similar to USDA terms. This approach ensures attainable housing, particularly for groups like the elderly, without relying on commercial mortgages. Mayor Kelley discussed the need to revisit and potentially modify regulations regarding home improvements, specifically mentioning carports versus garages. He requests staff to explore and propose language from other communities that could inform these updates, particularly on the carport-garage issue, and is open to researching how other cities handle similar regulations. Mr. Daniels acknowledges that the requirement being discussed is quite unique but suggests it's feasible to implement—such as limiting closed garages to R1 zoning. He discussed the implications of property improvements, noting that significant changes (affecting over 50% of the property's value) might trigger the need to meet all current standards.

Mayor Kelley

Mr. Daniels

Helena Cormier discussed concerns around the property at 200 North Vermont Street, where there is ongoing discussion about the best development options. She highlight issues with current zoning (R2) and lot size requirements—specifically, the mismatch between 850-square-foot homes and the standard 50-foot wide, 5,000-square-foot lots. Ms. Cormier suggested this setup isn't practical, especially for elderly residents who may struggle to maintain large yards.

16. City Manager & City Attorney Reports / Correspondence

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

17. City Council Reports / 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 8:53 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

Steven R. Kelley, Mayor

Attest:

Erin West, City Clerk