

CITY OF GREEN COVE SPRINGS CITY COUNCIL REGULAR SESSION

321 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA
TUESDAY, SEPTEMBER 03, 2024 – 7:00 PM



MINUTES

Invocation & Pledge of Allegiance to the Flag - **Pastor Brown, Harbor Road Ministries**

Roll Call

COUNCIL MEMBERS PRESENT: Mayor Steven Kelley, Vice Mayor Thomas Smith, Council Member Connie Butler, Council Member Ed Gaw (via Teams), 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. Joe Sobotta 212 North St. GCS speaks to the Council about city business.
2. Mike Kelter 630 Myrtle Ave. GCS asks the Council to look at postponing items 3 and 4 until a later meeting due to the amount of public present to speak on the millage, budget, and rate increases.
3. Susan Pasquale 1724 Colonial Drive GCS speaks to the Council about the city celebrating Caeleb Dressel.
Executive Assistant / Events Coordinator Kimberly Thomas updates the Council and advises she has been in contact with Caeleb and is working on getting something set but it does take some coordination due to his schedule.
4. Felicia Hampshire 508 Franklin St. GCS updates the Council on the Soul Food Festival and thanks the Public Works Department for the lights at the ball field.

AWARDS & RECOGNITION

1. Proclamation: Lineman Appreciation Day
This item was tabled to the October 1, 2024 meeting.

PRESENTATIONS

2. FMPA - September 2024 **Bob Page**
Mr. Page presents the September report.

PUBLIC HEARINGS

3. Second and final reading of Ordinance No. O-17-2024 requesting a modification to the Rookery Planned Unit Development (PUD) regarding the percentages, types and design criteria of proposed housing units. **Michael Daniels**
Motion to move Public Hearing item #3 and #4 to the October 1, 2024 meeting.
Motion made by Vice Mayor Smith, Seconded by Council Member Butler.
Voting Yea: Mayor Kelley, Vice Mayor Smith, Council Member Butler, Council Member Gaw, Council Member Johnson

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4. Second and final reading of Ordinance No. O-16-2024 - Request for rezoning of 24.22 acres of property located in the 4000 block of South US 17:
From: MUH, Mixed Use Highway To: C-2, General Commercial *Michael Daniels*
Motion to move Public Hearing item #3 and #4 to the October 1, 2024 meeting.
Motion made by Vice Mayor Smith, Seconded by Council Member Butler.
Voting Yea: Mayor Kelley, Vice Mayor Smith, Council Member Butler, Council Member Gaw, Council Member Johnson

 5. Second and final Reading of Ordinance No. O-19-2024, requesting for closure of transportation connection between Grove Street and St Johns Avenue. *Michael Daniels*
City Attorney Arnold reads Ordinance No. O-19-2024 by title.
Development Services Director Michael Daniels presents the ordinance.
Mayor Kelley opens the public hearing.
James Whitehouse with St. Johns Law Group, St. Augustine speaks to the Council concerning the ordinance.
The following individuals spoke to the Council concerning the closure of Grove Street:
Richard Ott 1110 St. Johns Ave. GCS
Doris Wager 1106 St. Johns Ave. GCS
David Harsey 1104 St. Johns Ave. GCS
Robert Beauregard 1008 St. Johns Ave. GCS
Following no further comments, Mayor Kelley closes the public hearing.
Council discussion followed concerning the street closure.
Christian Pope the pastor at Springs Chapel speaks to the Council concerning the road closure.

Motion to pause on closing the road until we can identify a proper solution until the October 1, 2024 meeting and remove the road barrier.
Motion made by Vice Mayor Smith, Seconded by Council Member Butler.
Voting Yea: Mayor Kelley, Vice Mayor Smith, Council Member Butler, Council Member Johnson
Voting Nay: Council Member Gaw

 6. Public Hearing and approval of Final Assessment Resolution No. R-17-2024, a Resolution relating to reimposition of Solid Waste Service Assessments in the Magnolia West Assessment Area, Approving the Solid Waste Roll; and Confirming the Initial Assessment Resolution. *L.J. Arnold, III*
City Attorney Arnold speaks on the resolution.
Assistant City Manager Mike Null presents Resolution No. R-17-2024
Mayor Kelley opens the public hearing.
Following no comment, Mayor Kelley closes the public hearing.

Motion to approve Resolution No. R-17-2024, a Resolution which authorizes the City to collect Solid Waste Assessments within the Magnolia West Subdivision.
Motion made by Council Member Butler, Seconded by Vice Mayor Smith.
Voting Yea: Mayor Kelley, Vice Mayor Smith, Council Member Butler, Council Member Gaw, Council Member Johnson

 7. Public Hearing and approval of Final Assessment Resolution No. R-18-2024. 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**

City Attorney Arnold speaks on the resolution.

Assistant City Manager Mike Null presents Resolution No. R-18-2024.

Mayor Kelley opens the public hearing.

The following individuals speak concerning the final assessment resolution and oppose:

Greg Will 218 Magnolia Ave. GCS

Keith Hoffses 307 Green St. GCS

Following no further comments, Mayor Kelley closes the public hearing.

Council discussion followed concerning the resolution.

Mayor Kelley reopens the public hearing.

The following individuals speak concerning the final assessment resolution and oppose:

Mike Kelter 630 Myrtle Ave. GCS

Chris Willis 630 N. Magnolia Ave. GCS

Krissy Weeks 515 Myrtle Ave. GCS

City Manager Steve Kennedy speaks concerning the resolution and upcoming items.

Following no further comments, Mayor Kelley closes the public hearing.

Motion to approve Resolution No. R-18-2024, a Resolution which authorizes the City to collect Stormwater Service Management Assessments within the entire City.

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

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

8. First Public Hearing and approval of Resolution No. R-19-2024 adopting the Tentative Millage Rate for Fiscal Year 2024/2025 and set September 17, 2024, at 7:00 p.m. as the final hearing date. **Sue Wang**

Finance Director Sue Wang presents on the millage rate.

Mayor Kelley opens the public hearing.

The following individuals speak concerning the tentative millage rate and oppose the increase:

Tonny Hayes 1241 Forbes St. GCS

Greg Will 218 N. Magnolia Ave. GCS

Josh Helmer 1917 Quaker Ridge Dr. GCS

John Whiteman 723 N. Magnolia Ave. GCS

Chris Willis 630 N. Magnolia Ave. GCS

Mike Kelter 630 Myrtle Ave. GCS

Krissy Weeks 515 Myrtle Ave. GCS

David Ford 3335 Shinnecock Ln. GCS

Susan Bonura 103 Park St. GCS

Abigail 1917 Quaker Ridge Dr. GCS

Dalton Nairne 3366 Turkey Creek GCS

Following no further comment, Mayor Kelley closes the public hearing.

Council discussion followed concerning the millage rate.

Motion to approve Resolution R-19-2024 and tentatively adopt the millage rate of 5.3 for FY 2024/2025 and set September 17, 2024, at 7:00 p.m. as the final public hearing on the millage rate.

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

9. First Public Hearing on the Fiscal Year 2024/2025 Annual Operating Budget and approval of Resolution No. R-20-2024 adopting the Tentative Annual Operating Budget for Fiscal Year 2024/2025 and set September 17, 2024, at 7:00 p.m. as the final hearing date. *Sue Wang* Finance Director Sue Wang presents on the annual operating budget. Mayor Kelley opens the public hearing. The following individuals speak concerning the tentative annual operating budget and oppose the increase:
Susan Pritchett 218 Magnolia Ave. GCS
Mike Kelter 630 Myrtle Ave. GCS
Krissy Weeks 515 Myrtle Ave. GCS
Greg Will 218 N. Magnolia Ave. GCS
Chris Willis 630 N. Magnolia Ave. GCS
Following no further comment, Mayor Kelley closes the public hearing.

Motion to approve Resolution No. R-20-2024 and tentatively adopt the Annual Operating Budget for FY 2024/2025 and set September 17, 2024, at 7:00 p.m. as the final public hearing on the budget.

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

10. First Public Hearing on the Five-Year Capital Improvement Plan for Fiscal Year 2025/2029 and approval of Resolution No. R-21-2024 adopting the Tentative Capital Improvement Plan for Fiscal Year 2025/2029. *Sue Wang* Finance Director Sue Wang presents on the annual Capital Improvement Plan. Mayor Kelley opens the public hearing. The following individuals speak concerning the tentative Capital Improvement Plan:
Mike Kelter 630 Myrtle Ave. GCS
Greg Will 218 N. Magnolia Ave. GCS
Following no further comment, Mayor Kelley closes the public hearing. Council discussion followed concerning the CIP.

Motion to approve Five-Year Capital Improvement Plan for FY 2025/2029 and approve Resolution No. R-21-2024 adopting the tentative capital improvement plan for fiscal year 2025 through 2029.

Amended motion to add setting September 17, 2024 at 7:00 p.m. as the final public hearing on the Capital Improvement Plan.

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

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

11. First reading of Ordinance No. O-20-2024, amending City Code Chapter 90, Article III, Electric Utility. *Mike Null*

City Attorney Arnold reads Ordinance No. O-20-2024 by title.
Assistant City Manager Mike Null presents the ordinance.
Mayor Kelley opens the public hearing.
City Clerk Erin West reads a letter from Haydn Cone who opposes the electric rate increase.
Joe Sobotta 212 North St. GCS comments on the electrical facility.
The following individuals speak concerning the electric rate increase and oppose the increase:
Susan Pritchett 218 Magnolia Ave. GCS
Darren Stutts 25 Palmetto Ave. GCS
James Pope 212 Walburg St. GCS
Krissy Weeks 515 Myrtle Ave. GCS
Dalton Nairne 3366 Turkey Creek GCS
Greg Will 218 N. Magnolia Ave. GCS
Following no further comments, Mayor Kelley closes the public hearing.

Motion to approve first reading of Ordinance No. O-20-2024 for form and legality, to amend City Code Chapter 90, Article III, Electric Utility, and set September 17, 2024 at 7:00 PM as the second and final reading.

Motion made by Council Member Johnson, Seconded by Council Member Gaw.
Voting Yea: Mayor Kelley, Vice Mayor Smith, Council Member Butler, Council Member Gaw, Council Member Johnson

12. First reading of Ordinance No. O-21-2024 authorizing water rate changes for Fiscal Year 2025. *Mike Null*

City Attorney Arnold reads Ordinance No. O-21-2024 by title.
Assistant City Manager Mike Null presents the ordinance.
Assistant Water Utilities Director Scott Schultz speaks about impact fees, the process when someone proposes a new project, and wells.
Mayor Kelley opens the public hearing.
Mike Kelter 630 Myrtle Ave. GCS speaks concerning the fee increase.
Greg Will 218 N. Magnolia Ave. GCS speaks to the Council about impact fees.
Mr. Null advises the Rookery will be in CCUA area. The city will initially serve a few lots until CCUA builds their plant.
Following no further comments, Mayor Kelley closes the public hearing.

Motion to approve First Reading of Ordinance O-21-2024 authorizing water rate changes for Fiscal Year 2025 and set September 17, 2024 at 7:00 PM as the second and final reading.

Motion made by Council Member Johnson, Seconded by Council Member Butler.
Voting Yea: Mayor Kelley, Vice Mayor Smith, Council Member Butler, Council Member Gaw, Council Member Johnson

13. First reading of Ordinance No. O-22-2024 authorizing wastewater rate changes for Fiscal Year 2025. *Mike Null*

City Attorney Arnold reads Ordinance No. O-22-2024 by title.
Assistant City Manager Mike Null presents the ordinance.
Mayor Kelley opens the public hearing.
Joan Dagle 621 St. John's Ave. GCS speaks concerning the rate increases, how wastewater consumption is calculated, and the BCPA adjustment for the electric rate.

Mike Rabin 2 Walburg St. GCS asks about the wastewater maximum cap amount.
Following no further comments, Mayor Kelley closes the public hearing.
Council showed appreciation to the individuals that showed up and voiced their concerns.

Motion to approve First Reading of Ordinance O-22-2024 authorizing wastewater rate changes for Fiscal Year 2025 and set September 17, 2024 at 7:00PM as the second and final reading.

Motion made by Council Member Johnson, Seconded by Council Member Butler.
Voting Yea: Mayor Kelley, Vice Mayor Smith, Council Member Butler, Council Member Gaw,
Council Member Johnson

14. First reading of Ordinance No. O-23-2024 which increases the City stormwater utility base charge from \$6.00 to \$7.00 per parcel per month for fiscal year 2025. *Mike Null*
City Attorney Arnold reads Ordinance No. O-23-2024 by title.
Assistant City Manager Mike Null presents the ordinance.
Mayor Kelley opens the public hearing.
The following individuals spoke on the stormwater utility and opposed the fee and increase:
Greg Will 218 N. Magnolia Ave. GCS
Mike Kelter 630 Myrtle Ave. GCS
Following no further comments, Mayor Kelley closes the public hearing.

Motion to approve Ordinance No. O-23-2024 as to form only on first reading and set September 17, 2024 at 7:00PM as the second and final reading.

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

15. First reading of Ordinance No. O-24-2024 authorizing reclaimed water (irrigation) rate changes for Fiscal Year 2025. *Mike Null*
City Attorney Arnold reads Ordinance No. O-24-2024 by title.
Assistant City Manager Mike Null presents the ordinance.
Mayor Kelley opens the public hearing.
Mike Kelter 630 Myrtle Ave. GCS speaks about reclaimed water utility.
Assistant Water Utilities Director Scott Schultz speaks reclaimed water and Senate Bill 64.
Greg Will 218 N. Magnolia Ave. GCS asks if the reclaimed water will be a mandatory connection?
Following no further comments, Mayor Kelley closes the public hearing.

Motion to approve First Reading of Ordinance O-24-2024 authorizing reclaimed water rate changes for Fiscal Year 2025 and set September 17, 2024 at 7:00PM as the second and final reading.

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

16. First reading of Ordinance No. O-25-2024 which amends the residential solid waste monthly rates for City provided services from \$19.95 to \$21.95 monthly and for governmental, industrial

commercial and the like noncontainerized services from \$27.04 to \$29.75 effective October 1, 2024. **Mike Null**

City Attorney Arnold reads Ordinance No. O-25-2024 by title.

Assistant City Manager Mike Null presents the ordinance.

Mayor Kelley opens the public hearing.

Joe Sobotta 212 North St. GCS questions if any of the city fees go to the county?

Mr. Null explains the line items on the tax bill.

Greg Will 218 N. Magnolia Ave. GCS asks about recycling.

Mr. Null explains the city is mirroring the county and will continue pick up unless things change, and the new truck won't be purchased until we know what is going to happen with recycling.

Mike Kelter 630 Myrtle Ave. GCS speaks about the recycling, and he believes Clay County is stopping the curbside sorting.

Susan Pritchard 218 Magnolia Ave. GCS asks to please let residents know about the recycling. Following no further comments, Mayor Kelley closes the public hearing.

Motion to approve Ordinance No. O-25-2024 as to form only on first reading and set September 17, 2024 at 7:00PM as the second and final reading.

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

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

17. Public Hearing to receive input on removal of playground covering and picnic facilities at Vera Francis Hall Park from CDBG Grant Contract # H2426. **Mike Null**

Assistant City Manager Mike Null advises the CDBG project that we have is a \$700,000 grant with \$640,000 in construction budget for three projects with two of those projects already underway: the stormwater piping on West Street and then the new sidewalks on Highland Avenue. A requirement to the grant is anything over \$5,000 must be publicly, competitively bid so in order to keep the project reasonable the third portion of the project includes improvements to Vera Francis Hall Park that includes a shade cover over the play area and picnic area. We would like to remove the park improvement service area number three from the contract.

Mayor Kelley opens the public hearing.

Following no comments, Mayor Kelley closes the public hearing.

Council discussion followed concerning the CDBG project.

Motion to approve staff sending an amendment request to Florida Commerce.

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

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

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.

Mayor Kelley advises item 18 will be tabled to a future meeting and pulled item 28.

Motion to approve Consent Agenda items 19 through 34 minus 28.

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

18. City Council approval of CAC Revised By-Laws. **Kimberly Thomas**
Tabled to a future meeting
19. Approval of attached Engagement of Nabors, Giblin & Nickerson, P.A. (“NG&N”) to assist in possible collection and/or resolution of dispute with the Clay County School Board (“CCSB”) over their non-payment of stormwater usage fees exceeding \$200,000.00.
20. City Council ratification of funding in the amount of \$35,750.00 to Emerald Transformer for purchase of single-phase electric transformers. **Scott Schultz**
21. City Council approval for warehouse staff to purchase certain electric, water and wastewater materials which have long lead times and short availability timelines with executive staff approval and subsequent Council ratification. **Scott Schultz**
22. City Council approval for blanket purchase order funding (annual PO) for Fiscal Year 2025 to Gate Petroleum (city vehicle / equipment fuel) in the amount of \$200,000.00, Advanced Environmental Laboratories (water / wastewater lab services) in the amount of \$56,550.00 and Hawkins Inc. (water wastewater chemicals) in the amount of \$214,500.00. **Scott Schultz**
23. City Council approval for design services for stormwater upgrades on Walnut Street, North Highland and Vermont Street to Mittauer and Associates, Inc. in the amount of \$35,000.00. **Greg Bauer**
24. City Council Approve Pay Application #5 for the West Street CDBG Stormwater Improvements and Highland Sidewalk Improvements to Besch and Smith in the amount of \$967,600.38. **Greg Bauer**
25. City Council Approve Pay Application #5- Walnut Street Improvements, to provide roadway, utility, pedestrian and streetscape improvements on Walnut St from Palmetto Ave to the River in the amount of \$550,007.44 to CGC, Inc. **Greg Bauer**
26. City Council approval of Resolution No. R-15-2024, a Resolution authorizing a new FDOT Maintenance Agreement, Contract No. TBD, for the period of October 18, 2024 through October 17, 2027 in the amount of \$41,900.00 (annually) and authorizing the Mayor, City Clerk, and City Attorney to execute said Agreement. **Greg Bauer**
27. City Council approval of pay application #1 to Kirby Development, Inc. In the amount of \$123,926.79, for the Julia Street Stormwater Improvement Project. **Greg Bauer**
28. City Council approval of Preliminary Plat and Improvement Plan for the Graylon Oaks Residential Subdivision. **Michael Daniels**
Karl Leinheiser 1432 Green Cove Ave. GCS speaks to the Council concerning purchasing his home and now there is a development with a HOA going in behind his property.
Council discussion followed concerning housing in Green Cove Springs.

Motion to approve item 28.

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

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

29. City Council approval of the Final Plat for phase 1 of the Rookery Development for a portion of parcel #: 016515-008-00. *Michael Daniels*
30. City Council approval of the Sawcross (Tender Contractor) Pay Request #4, in the amount of \$381,425.00, for construction of the Harbor Road Advanced Wastewater Treatment Facility (HRAWWTF), as part of 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*
31. City Council approval of Minutes. *Erin West*
Regular Session: 7/16/2024
32. City Council ratification of funding in the amount of \$50,894.94 to Jax Utilities Management for installation of a sewer manhole to serve the future Clay County Habitat for Humanity development. *Mike Null*
33. City Council approval of Resolution No. R-22-2024 adopting the 2024/25 CRA Budget. *Michael Daniels*
34. City Council Approval of Resolution R-23-2024 and for Mayor to sign Amendment #1 to CDBG Contract H2426, extending the grant deadline from January 31, 2024 to January 31, 2025. *Mike Null*

COUNCIL BUSINESS

35. City Council approval of 3 additional appointments to the 2024 Charter Review Committee. *Erin West*
City Clerk Erin West advises the need of 3 more appointments to the CRC.
Council Member Butler appoints Paul Cobbert.
Council Member Gaw appoints Mitch Timberlake and Van Royal.
Motion to approve the 3 additional appointments to the CRC.
Motion made by Vice Mayor Smith, Seconded by Council Member Butler.
Voting Yea: Mayor Kelley, Vice Mayor Smith, Council Member Butler, Council Member Gaw, Council Member Johnson
36. City Manager & City Attorney Reports / Correspondence
The City Manager and City Attorney made comments regarding various city activities, events, operations, and projects.
37. 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 on September 4, 2024 at 1:13 a.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

Steven R. Kelley, Mayor

Attest:

Erin West, City Clerk