

# CITY OF GREEN COVE SPRINGS CITY COUNCIL REGULAR SESSION

321 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA  
TUESDAY, MAY 17, 2022 – 7:00 PM



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## MINUTES

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Invocation & Pledge of Allegiance to the Flag - **Pastor Bob Brown, Cornerstone Church**

Roll Call

**COUNCIL MEMBERS PRESENT:** Mayor Ed Gaw, Vice Mayor Matt Johnson, Council Member Connie Butler, Council Member Steven Kelley, Council Member Van Royal

**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. Gerald Jefferson 1423 Floyd Circle, Orange Park, speaks to the Council about a new youth boxing program that he has started. Where he trains youth in boxing to help with confidence, discipline, exercised and keep them off the streets. The goal is for the students to go to college. Mayor Gaw questions how the Council can help. Mr. Jefferson advises his main concern is location and he would like to use in program in GCS.
2. Felicia Hampshire 508 Frankling St. GCS, speaks and thanks Council Member Royal for his outstanding job on the Council. Ms. Hampshire thanks Mayor Gaw for his outstanding job as Mayor and on Food Truck Friday. Ms. Hampshire also updates the Council on the Soul Food Festival lawsuit and advises the festival has been removed from the lawsuit. Thank you for everyone for the support on the festival and updates on this years festival.

### AWARDS & RECOGNITION

1. Proclamation - National Safe Boating Week  
Commander Hines reads the proclamation and presents it to members of the U.S. Coast Guard Auxiliary.
2. Recognition - Plaque Presentation to Van Royal for his years of support and service to the City of Green Cove Springs. **Mayor Gaw**  
Mayor Gaw speaks and presents a plaque to Council Member Royal for his years on support and service to the City of Green Cove Springs.

### REORGANIZATION

3. Swearing-In Ceremony for three (3) year terms of office for Constance Butler for Seat 3, Steven Kelley for Seat 5, and Thomas Smith for Seat 4. **Circuit Judge, Steven B. Whittington**  
City Attorney Arnold introduces Circuit Judge, Steven B. Whittington.  
Judge Whittington proceeded to swear into office for a 3-year term, Constance Butler for Seat 3, Thomas Smith for Seat 4, and Steven Kelley for Seat 5.

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4. City Council election of a Mayor and Vice Mayor to serve from May 17, 2022 to May 16, 2023. *Erin West*

**Motion to elect Vice Mayor Johnson as Mayor.**

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

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

**Motion to elect Council Member Butler as Vice Mayor.**

Motion made by Council Member Kelley, Seconded by Council Member Smith.

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

### PUBLIC HEARINGS

5. Rezoning of parcel 017172-000-00 consisting of 2.11 acres located on Roberts St, north of Green Cove Avenue from R-2 to Planned Unit Development. *Michael Daniels*

**The applicant has requested that the application be deferred to the June 7, 2022 City Council meeting.**

**Motion to move this item to the June 7, 2022 City Council meeting.**

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

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

6. Rezoning of parcel 017172-000-01 consisting of .63 acres located on Roberts St, north of Green Cove Avenue from R-2 to Planned Unit Development. *Michael Daniels*

**The applicant has requested that the application be deferred to the June 7, 2022 City Council meeting.**

**Motion to move this item to the June 7, 2022 City Council meeting.**

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

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

7. Second and final reading of the Development Agreement for approximately 559.9 acres for the Rookery Residential Development located on CR 15 A south of Green Cove Avenue, parcel # 016515-008-00. *Michael Daniels*

Development Services Director Michael Daniels presents the Development Agreement.

Mayor Johnson opens the public hearing.

Ellen Avery-Smith with Rogers Towers presents on this item.

Raj Chindalur with Chindalur Traffic Solutions, Inc. presents the traffic report.

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

Council discussion follows concerning the agreement.

Van Royal 3688 Lacosta Ct. GCS, speaks concerning the traffic pattern for the project.

John Gislason 4220 Racetrack Rd. St. Johns, speaks to the Council concerning the next steps of the project and where the project is at now. Engineering plans have been submitted for the horizontal improvements, CSX has approved the final plans for the bridge design, they are finalizing the ICE plans now, and once those are completed, they will be able to start the plans and get permits for the intersection design. By the end of the year all permits should be complete and around September plans will be submitted for homes. Once construction starts it will be around 18 months for rooftops.

Mr. Chindalur speaks more concerning the two traffic options that FDOT is currently providing. FDOT will pick the best option once all aspects have been reviewed.

Mr. Gislason speaks to the Council about the size of the homes. Single family will range from 1500 to 3000 square feet. Thirty percent of the project will be town homes around 1600 square feet.

**Motion to approve on second and final reading the Rookery Development Agreement concerning 559.9 acres located on CR 15A, south of Green Cove Avenue.**

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

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

8. First Reading of Ordinance O-11-2022, an Annexation Application for the Preserve Development for parcel number 016499-007-00, approximately 13.92 acres located on South US Highway 17 and CR 209. *Michael Daniels*  
City Attorney Arnold reads the ordinance by title.  
Development Services Michael Daniels presents and advises the Council the presentation and recommendations are for items 8-10.  
Mayor Johnson opens the public hearing.  
Ellen Avery-Smith with Rogers Towers presents and advises the Council the presentation is for items 8-10.  
Eric Conkright with Piedmont presents on the amenities the development will offer to the residents and the design of the exterior and interior of the buildings. Mr. Conkright also shows the Council other developments they are producing.  
Felicia Hampshire 508 Franklin St. GCS, questions the cost of rent for development.  
Mr. Conkright advises the current approximate rental rate will be \$1400 for a 1 bedroom, \$1800 to \$1900 for a 2 bedroom, and \$2200 to \$2400 for a 3 bedroom.  
Jeff Ludwig 5150 Belfort Rd Building 500, is a lawyer representing Pegasus Technologies. Mr. Ludwig explains what Pegasus does and speaks concerning the development being close to the runways that Pegasus uses.  
Jeff Heyse VP of Support Services for Pegasus speaks about his concerns with the development being close to the Pegasus runway and noise level of the aircrafts.  
Van Royal 3688 Lacosta Ct, GCS speaks concerning the development. Mr. Royal advises he supports Pegasus but also supports the development.  
Mark Scruby with Rogers Towers advises he represents the owners of the property and speaks concerning the development.  
Virginia Hall 2321 Egremont Dr. Orange Park, is the owner of the property and speaks to the Council concerning the sale of the property and the development.  
Joe Sobotta 212 North St. GCS, speaks concerning the property and the development.

Mr. Ludwig speaks and advises the issue here is how do you manage the growth and Pegasus has no objection to the sale of the property. They are just concerned with the noise level that will be around for the tenants and the development so close to the runway.

Ms. Hall advises this is private property and there is a contract on the property and dealing this will put the contract in jeopardy.

Ms. Avery-Smith speaks towards all the concerns for the development and advises this is only a land use change.

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

Council discussion follows concerning this item.

**Motion to approve on first reading for form and legality Ordinance No. O-11-2022, to approve the voluntary annexation of 13.92 acres located on US 17 and CR 209 (parcel #016499-007-00).**

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

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

9. First Reading of Ordinance O-12-2022, a Future Land Use Map Amendment of parcel # 016499-007-00 from Industrial (County) to Mixed Use for 13.92 acres for property located at US 17 and CR 209. *Michael Daniels*

City Attorney Arnold reads the ordinance by title.

Development Services Director Michael Daniels advises the presentation from the item 8 was also for this item and staff recommends approval.

Mayor Johnson opens the public hearing.

Ellen Avery-Smith with Rogers Towers advises the Council the comments from item 8 were also for this item.

Jeff Ludwig advises the Council the comments and exhibits from item 8 were also for this item.

Mark Scruby advises the Council the comments from item 8 were also for this item.

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

Council Member Gaw speaks to Raj Chindalur about traffic.

Mr. Chindalur addresses Council Member Gaw's concerns with the amount of traffic that will be using US 17 with this development and the Rookery.

**Motion to approve on first reading for form and legality Ordinance No. O-12-2022, to amend the Future Land Use of the property described therein from Industrial (County) to Mixed Use located on US 17 and CR 209 (parcel #016499-007-00).**

Motion made by Council Member Smith, Seconded by Council Member Kelley.

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

10. First Reading of Ordinance O-13-2022, a Rezoning of parcel # 016499-007-00 from Light Industrial (County) to Planned Unit Development (PUD) for 13.92 acres for property located at US 17 and CR 209. *Michael Daniels*

City Attorney Arnold reads the ordinance by title.

Development Services Director Michael Daniels advises the presentation from the item 8 was also for this item and staff recommends approval.

Mayor Johnson opens the public hearing.

Ellen Avery-Smith with Rogers Towers advises the Council the comments from item 8 were also for this item.

Jeff Ludwig advises the Council the comments from item 8 and exhibits were also for this item.

Mark Scruby advises the Council the comments from item 8 were also for this item.

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

**Motion to approve on first reading for form and legality Ordinance No. O-13-2022, to amend the Zoning of the property described therein from Light Industrial to Planned Unit Development subject to the following conditions:**

**1. The applicant shall be required to comply with tree preservations requirements set forth in Sec. 113-279. Due to the proposed amount of onsite development and potential grade changes, an ISA certified arborist or equivalent horticulture professional shall be hired to evaluate trees, ensure adequate root area is provided and grade changes are not altered within critical root area, prescribe treatments to preserve the trees and oversee tree protection during the construction process and ensure compliance set forth in City Code Sec. 113-248.**

**2. Traffic Study pursuant to the requirements set forth in the City's Traffic Impact Analysis Guidelines shall be approved concurrent with the approval of the site development plan.**

**3. Dumpster shall be screened with landscaping and concrete enclosure as required during the site plan submittal.**

**4. A disclosure notification shall be provided within the lease agreements for the multifamily units located on the property informing the tenants that the proposed development is located in close proximity to the runway for the Reynolds Airpark.**

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

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

### 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.

**Motion to approve Consent Agenda items 11 through 14.**

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

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

11. City Council acceptance of the Official Results of the April 12, 2022 Municipal Election. *Erin West*
12. City Council approval of two Agreements to Reimburse the Clay County Property Appraiser and Tax Collector for necessary administrative and actual costs incurred to implement non-ad

valorem assessments programs for collection of stormwater, solid waste and nuisance abatement costs. The two proposed Agreements are attached hereto. **L.J. Arnold, III**

13. City Council approval of Minutes from 3/15/2022, 4/5/2022, and 4/19/2022 Regular Sessions. **Erin West**
14. City Council approval of the Military Service Day Proclamation. **Erin West**

### COUNCIL BUSINESS

15. City Council Passage of Ordinance O-16-2022 correcting a date for Credited Service in the Retirement Plan and Trust for Police Officers. **L.J. Arnold, III**  
City Attorney Arnold reads Ordinance No. O-16-2022 by title and explains the ordinance.

**Motion to approve Ordinance No. O-16-2022 on first reading as to form only.**

Motion made by Council Member Kelley, Seconded by Council Member Smith.

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

16. City Council approval of Nominees for Planning & Zoning Board Seats 3 and 4. **Michael Daniels**

City Clerk, Erin West advises in 2020 when Council Member Gaw was elected to Council a new member was appointed to the Planning & Zoning Board in his seat. To get the terms back on the correct years, Council Member Kelley will also be recommending for seat 5 tonight.

Council Member Smith recommends Josh Danley for seat 4.

Council Member Kelley recommends Justin Hall for seat 5.

Vice Mayor Butler recommends Henrietta Francis for seat 3.

**Motion to approve Henrietta Francis, Josh Danley, and Justin Hall for seats on the Planning & Zoning Board.**

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

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

17. City Manager & City Attorney Reports / Correspondence  
The City Manager and City Attorney made comments regarding various city activities, events, operations, and projects.
18. 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 10:49 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

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Daniel M. Johnson, Mayor

Attest:

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Erin West, City Clerk