

CITY OF GREEN COVE SPRINGS CITY COUNCIL REGULAR SESSION

321 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA
TUESDAY, APRIL 15, 2025 – 6:00 PM



MINUTES

Invocation & Pledge of Allegiance to the Flag - **Pastor Jeth Looney, Doxa Church**

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. Michael Indalsingh 2280 Links Drive Fleming Island highlights the severe issues caused by Green Cove Springs' outdated wastewater and stormwater infrastructure, exacerbated by the city's low-lying, flood-prone geography and climate-driven intense rain and sea level rise. Mr. Indalsingh proposed solutions that included upgrading wastewater treatment, separating sewer and stormwater lines, and implementing nature-based solutions like wetlands and rain gardens to manage water, enhance biodiversity, and improve public health.

Mayor Kelley acknowledges Mr. Indalsingh concerns about aging infrastructure, confirming that the city has been addressing these issues. He highlighted the recent completion of a new advanced wastewater treatment plant and the ongoing stormwater projects that are gaining momentum.

Council Member Gaw advises the council has prioritized stormwater management by increasing the stormwater fee on ad valorem taxes. There have been two completed stormwater projects (West Street and Julia Street) and a new facility to expedite upgrades to the century-old stormwater system.

2. Jerry Lackey 409 Pearly St. GCS, advises along Anderson and Ivan Streets there are no sidewalks and raises concerns about the lack of safe pedestrian infrastructure in their area. He relies on a scooter to travel to and from a baseball park with his grandchildren, but poor street lighting and bumpy, poorly maintained sidewalks create safety issues. Mr. Lackey urged the council to address the urgent need for improved sidewalks to enhance safety and accessibility.

Mayor Kelley emphasized the importance of sidewalks, noting past discussions and some progress through grant-funded sidewalk additions, particularly near the elementary school. He requested that staff prioritize sidewalk improvements and address existing sidewalks in disrepair.

AWARDS & RECOGNITION

1. Swearing-In Police Chief Hines *Mayor Kelley*
Commander Luedtke speaks about Chief Hines.

Mayor Kelley swears-in Shawn Hines as the new Chief of Police.

Chief Hines speaks and advises he is grateful for this opportunity.

PUBLIC HEARINGS

2. Second and Final Reading of Ordinance No. O-5-2025 regarding Affordable Housing Related Land Development Code Changes *Michael Daniels*

City Attorney Arnold reads Ordinance No. O-05-2025 by title.

Development Services Director Michael Daniels presents on the ordinance.

Mayor Kelley opens the public hearing.

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

Council Member Butler questions if tiny houses will be included in the accessory dwelling unit (ADU) category and asks if the homeowner buys a utility shed and converts it to a ADU, would that be considered.

Mr. Daniels advises there is a minimum size limit so they couldn't be smaller than 200 feet ADU's will still have to meet the Florida Building Code.

Council Member Gaw urges the Council to proceed cautiously emphasizing the importance of getting it right the first time. He expressed concerns about the potential consequences of development outpacing planning and asked clarification on whether the code changes aim to promote affordable housing or increase density in R1 neighborhoods.

Mr. Daniels explains that the proposed land development regulation changes aim to encourage affordable housing by addressing barriers in existing regulations. However, the changes are not exclusively for affordable housing; for instance, they would allow building an ADU that may or may not be affordable.

Council Member Gaw expresses concern on the increase in density and without consideration for infrastructure or maintenance of traffic flow.

Mr. Daniel advises the changes to land development regulations include requirements beyond just square footage to ensure density aligns with R1 and R2 zoning districts. For ADUs, developers must go through an impact fee process to address transportation, water, and sewer concerns.

Council Member Gaw discusses the requirements and implications of converting a building with a sub-panel into an ADU. A full utility contract with the city is needed, including separate electrical and water meters, and a sewer connection for the ADU, raising questions about whether it requires a distinct address. He expressed concern about the impact on ad valorem taxes, noting that constructing a 900-square-foot ADU, costing \$90,000 to \$125,000, would significantly increase the property's taxable value, especially when added to an existing, older home. Unlike the primary home, the ADU does not qualify for an additional \$50,000 Homestead exemption, potentially creating a substantial tax burden. To support affordable housing, they

suggest the city consider tax abatements or discounts for first-generation owners providing affordable housing. They also note that permitting fees are lower for affordable housing, but other fees, like mobility fees, may apply.

Mr. Daniels advises an ADU would be assigned an address, likely working with 911 to designate it. He noted that a Senate bill requires the ad valorem tax assessment for the ADU to be considered separately from the main property. For affordable housing units, owners can apply for discounts or exemptions on impact fees, such as mobility, water, and sewer fees. If approved, a lien is placed on the property, requiring it to remain affordable for eight years, with the owner or designated occupant living there to prevent exploiting the fee waivers. However, this applies specifically to affordable housing, not all ADUs, as ADUs may or may not be affordable and are primarily intended to provide alternative housing options. He advises that ADUs do not qualify for an additional Homestead exemption, and while he assumes the ADU's value is added to the property's tax assessment, he would need to get further clarification.

Council Member Gaw asks about the stormwater fee.

Assistant City Manager Mike Null explains that the base user fee for residential parcels is calculated based on the average impervious area of 3,000 square feet, derived from a sample of 200 out of approximately 2,000 residential units. This fee remains unchanged unless the number of ADUs significantly increases, such as if 380 ADUs were built in a year, which would prompt a reassessment of the user fee to account for the increased impervious area.

Council Member Gaw expresses concern that allowing ADUs could eliminate front yards and alter the character of neighborhoods, including both new and historic ones. He described a scenario in a five-block radius where houses on 70-foot lots, already accommodating three cars for the main house, could add one or two more cars for an ADU, totaling up to five cars per property. This would lead to parking in front yards or on the street, as parking behind the main house is impractical.

Mr. Daniels advises ADUs must provide on-site parking, not in the public right-of-way, as stipulated in the proposed ordinance. He referenced Senate Bill 184, which outlines specific state regulations limiting what local governments can mandate regarding ADU parking. He acknowledged the need to proactively plan for parking issues but notes that the state may preempt local rules, likely requiring future revisions to the ordinance.

Council Member Gaw raises concerns about the long-term implications of ADUs in Green Cove, particularly with second-generation ownership. He gave a scenario where a homesteaded owner builds an ADU, sells the property, and the new owner uses both the main house and ADU as rental units, yielding a 10% return on investment due to high local rent prices. While ADUs may initially provide affordable housing, they could lead to increased density, more cars, and other neighborhood impacts. He reminds the Council of careful planning to include incentives like tax abatements or reduced building permit fees to ensure ADUs remain affordable, but notes these details need further discussion.

Vice Mayor Smith asks Mr. Eric Sacks for some clarification. Mr. Smith advises Council Member Gaw mentioned that building a 900-square-foot ADU would cost \$90,000 to \$100,000 and asked Mr. Sacks to explain his visible reaction to this estimate. He advises he is not knowledgeable in construction and was curious of the pricing.

Mr. Sacks explains his reaction to the \$90,000–\$100,000 cost estimate for a 900-square-foot ADU, noting his focus on affordability. He initially found the price high, as he typically

considers lower-cost options for affordable housing. However, he advises that in a nicer neighborhood, where someone might build an ADU for aging parents, costs could reach \$150,000. For more modest, middle-of-the-road ADUs, such as for a parent who can't afford a separate home, he estimates costs could be lower, around \$70,000, for a smaller unit. He highlights that mechanical, electrical, and plumbing (MEP) costs remain significant regardless of size, but a smaller ADU requires less labor and time.

Mayor Kelley expresses concern over delaying a policy ADUs, that could significantly help people in difficult situations, such as low-income residents, single parents, or retirees with high costs. He advises he was prompted to take action after a local resident couldn't improve their home due to zoning restrictions and after researching other Florida cities and attending an FLC (Florida League of Cities) conference, he found that most cities don't require garages and do allow ADUs, showing that these are common, effective solutions to the housing affordability crisis. He emphasizes that the need for affordable housing is urgent and supported by existing research and statewide trends.

Council Member Johnson expressed support for the previous remarks and appreciates the staff's work on the affordable housing solution. He acknowledged that the proposal isn't perfect and there are unanswered questions, but emphasize that taking timely action is crucial during the current housing crisis.

Council Member Gaw clarifies that he is not opposed to ADUs, but is urging caution and thoughtful planning before implementing them in Green Cove. He stressed the importance of learning from other towns that have already adopted ADUs, specifically by having direct conversations with those municipalities about challenges they've faced, such as increased parking or rental issues.

Mr. Daniels advises he has consulted the Florida Housing Authority and reviewed various codes that incorporate best practices for managing issues related to ADUs, such as parking and rental vs. ownership. He emphasized that these best practices are already reflected in the proposed code.

Motion to approve the second and final reading of Ordinance No. O-5-2025, amending City Code Chapter 113 Article II, Chapter 117 Article I, II, and establishing Chapter 117, Article XI, Section 117-798 Accessory Dwelling Units.

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

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

Voting Nay: Council Member Gaw

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 Gaw pulled item 6 and Council Member Butler pulled item 9.

Motion to approve Consent Agenda items 3 through 13 minus 6 and 9.

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

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

3. City Council approval of Minutes. *Erin West*

Regular Session: 3/4/2025

Special Session: 3/25/2025

4. City Council approval of the following proclamations: *Erin West*

Public Service Recognition Week, Law Enforcement Memorial,

Mental Health Awareness Month, National Police Week, and Municipal Clerks Week

5. City Council approval of the Elks National Youth Week Proclamation. *Erin West*

6. City Council approval of purchase order to Assurance Electric in the amount of \$50,625.20 to repair the City Pier electrical infrastructure. *Greg Bauer*

Council Member Gaw speaks about Green Cove's identity as a river city and asks about an electrical upgrade or repair for the pier, asking if the improvements account for the potential increase in capacity to support future dockage growth.

Assistant Public Works Director Greg Bauer explains that the current project focuses on repairing the city pier, damaged by Hurricane Helene and Hurricane Milton, to restore its functionality, including power. The repair, includes restoring three light poles, is not part of the budgeted Capital Improvement Program (CIP) but is expected to be reimbursed. The goal is to make the pier whole again, without addressing future capacity increases.

Motion to approve Consent Agenda items 6 and 9.

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

7. City Council approval of purchase order to A-1 Coastal Paving in the amount of \$74,300.00 to repair and overlay walking trails at Vera Francis Hall Park per FRDAP grant requirements. *Greg Bauer*
8. City Council review and approval of Resolution No. R-5-2025 regarding approval of Maintenance Bond, release of performance bond and acceptance of roads and utility improvements for phase 1 of the Rookery Subdivision. *Michael Daniels*
9. City Council acceptance of the Official Results of the April 8, 2025 Municipal Election. *Erin West*

Council Member Butler congratulates Mr. Stutts and relays concerns from the supervisor of elections about low voter awareness during a recent election, despite efforts like newspaper ads, billboards, social media, and website announcements. Ms. Butler advises there was only a 6% turnout and suggests somehow increasing awareness in the future. She also mentions a proposed

bill that will combine all elections on one day, which could lead to voter fatigue due to lengthy ballots covering state, county, and city elections.

Motion to approve Consent Agenda items 6 and 9.

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. City Council approval to surplus a 2008 Elgin Pelican Streetsweeper # 209 that has outlived its useful life. *Scott Schultz*
11. City Council approval of the Pool Management Agreement with Planet Swim for 2025. *Steve Kennedy*
12. City Council approval of Amendment #4 to contracts for each of NV5, CPH, Jones Edmunds, Toco Engineering, and WGI for engineering services under Bid LC 2021-02 covering the period from April 21, 2025 through April 20, 2026. *Mike Null*
13. City Council approval of Amendment #4 to contracts with Patterson & Dewar and Toco Engineering for engineering services under Bid LC 2021-04 covering the period from April 21, 2025 through April 20, 2026. *Mike Null*

COUNCIL BUSINESS

14. City Manager & City Attorney Reports / Correspondence

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

Assistant City Manager Mike Null advises a contractor broke a line and is it in need of replacement.

Assistant Water Utilities Director Scott Schultz gives a brief background on the broken water line and advises about 35 days ago, a 625,000-pound crane damaged an 85-year-old waterline, causing two breaks. Despite repairs and attempts to protect the line with wooden beams, the crane broke it again. This has led to two boil water notices in 30 days for residents south of the line, including the marina. The 400-foot section of old steel pipe connects to a newer waterline at Reynolds Boulevard. He proposes replacing the 400-foot section with an 800-foot, stronger HDPE water main to prevent future issues, estimating the cost at \$200,000. Johnson Brothers, the company responsible for the crane, has agreed to contribute, with a minimum expected contribution of \$50,000, though final pricing is pending. He requests authorization for an emergency repair and will negotiate the contractor's contribution once pricing is confirmed.

Mayor Kelley questions if the lines the remain will hold up in a similar situation.

Mr. Schultz advises that despite compacted ground, no waterline can withstand a massive 650,000-pound crane that causes significant ground ruts due to its weight and the heavy loads it lifts, such as 80,000-pound concrete structures. The first break occurred without protective pads, prompting the company responsible to contribute to repairs. Even with pads for the second attempt, the line broke again due to the equipment's extreme weight.

Council Member Gaw asks if there are any other options? Can we go around and we put in a temporary line until this unusual construction activity concludes? Anything you put in the ground now is at risk.

Mr. Schultz evaluates options for addressing the damaged waterline, concluding that extending the existing new line by 800 feet is the most cost-effective solution, especially if the contractor leases both adjacent lots. They plan to install the new HDPE pipe deeper to prevent future issues. While the contractor will contribute to the cost due to their crane causing the breaks, he advises that the line's age and prior unexplained breaks mean they won't seek full reimbursement.

Emergency motion to approve the funds up to \$200,000 with the full participation of the lessee.

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

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

15. 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 8:20 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

Steven R. Kelley, Mayor

Attest:

Erin West, City Clerk