

CITY OF GREEN COVE SPRINGS CITY COUNCIL REGULAR SESSION

321 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA
TUESDAY, NOVEMBER 12, 2024 – 6:00 PM



MINUTES

Invocation & Pledge of Allegiance to the Flag - **Chaplain MacClellan, GCSPD**

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. James Otto 2908 Blanding Blvd. Middleburg thanks the Council for keeping the spring fed pool and he advises he attended the 150th event where there was an incident, and he would like to record request all of the information from the incident. Mr. Otto advises he has spoken to the records department concerning that request.

AWARDS & RECOGNITION

1. City Government Week – 5th Grade Essay Participants
Sydney Ball, Jayden Meek, Serenity Clark, Bentley Lackey, Zachary Anderson
Mayor Kelley speaks and presents that essay participants with a certificate.
2. Police Department Swearing-In *Interim Chief Hines*
Officer Green
Officer Whitney
Officer Shore
Interim Chief Hines speaks and swears-in three new Officers.
3. Recognition: 25 Years of Service *Interim Chief Hines*
Sergeant Perry
Communications Officer Sharon Vinson
Interim Chief Hines speaks and presents a plaque to Sergeant Perry. He advises Communications Officer Sharon Vinson wasn't able to attend tonight.

PRESENTATIONS

4. FMPA - November 2024 *Bob Page*
Mr. Page presents the November report.

PUBLIC HEARINGS

5. Second and Final reading of Ordinance O-27-2024 for the Voluntary Annexation of 3 acres of property located on CR 209 S (parcel #016513-015-00) *Michael Daniels*
City Attorney Arnold reads Ordinance No. O-27-2024 by title.
Development Services Director Michael Daniels presents and advises his presentation is for items 5, 6, and 7.
Mayor Kelley opens the public hearing.
Following no comments, Mayor Kelley closes the public hearing.
Council Member Gaw asks the property owner Tim Howells to come up speak.
Tim Howells speaks about the annexation.

Motion to approve on second and final reading of Ordinance No. O-27-2024 for the Voluntary Annexation of 3 acres of property located on CR 209 S (parcel #016513-015-00).
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

6. Second and Final Reading of Ordinance O-28-2024 regarding the Future Land Use Amendment of the Wolfe Bros Property (Parcel #: 016513-015-00): From: Industrial (County) To: Industrial *Michael Daniels*
City Attorney Arnold reads Ordinance No. O-28-2024 by title.
Mayor Kelley opens the public hearing.
Following no comments, Mayor Kelley closes the public hearing.

Motion to approve on second and final reading of Ordinance No. O-28-2024 to amend the future land use of parcel id 016513-015-00 from industrial county to industrial.
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

7. Second and Final Reading of Ordinance O-29-2024 regarding the Rezoning of the Wolfe Bros Property (Parcel #: 016513-015-00): From: Heavy Industrial (County) To: M-2 Industrial Park *Michael Daniels*
City Attorney Arnold reads Ordinance No. O-29-2024 by title.
Mayor Kelley opens the public hearing.
Following no comments, Mayor Kelley closes the public hearing.

Motion to recommend approval of second and final reading of ordinance O-29-2024 to amend the Zoning of Parcel ID 016513-015-00 from Heavy Industrial (County) to M-2, Industrial Park.
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

8. Second and Final Reading of Ordinance O-30-2024 for the voluntary annexation of approximately 1.79 acres located at 4604 CR 209 S (parcel #016513-001-00), Miller Environmental Holdings, LLC *Michael Daniels*

City Attorney Arnold reads Ordinance No. O-30-2024 by title.

Development Services Director Michael Daniels presents and advises his presentation is for items 8, 9, and 10.

Mayor Kelley opens the public hearing.

Following no comments, Mayor Kelley closes the public hearing.

Motion to recommend approval of second and final reading of Ordinance O-30-2024 for the voluntary annexation of 1.79 acres located on CR 209 S (parcel #: 016513-001-00).

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. Second and Final Reading of Ordinance O-31-2024 Future Land Use Amendment of approximately 1.79 acres of property located at 4604 CR 209S (Parcel 016513-001#-00): From: Industrial (County) To: Industrial *Michael Daniels*
City Attorney Arnold reads Ordinance No. O-31-2024 by title.
Mayor Kelley opens the public hearing.
Joe Sobotta 212 North St. GCS questions the expansion of the city limits.
Following no further comments, Mayor Kelley closes the public hearing.

Motion to approve second and final reading of Ordinance No. O-31-2024, future land use amendment of approximately 1.79 acres of property location at 4604 CR 209 S from industrial county to industrial.

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

10. Second and Final Reading of Ordinance O-32-2024 Rezoning of approximately 1.79 acres of property located at 4604 CR 209S (Parcel 016513-001#-00): From: Heavy Industrial (County) To: M-2, Industrial Park *Michael Daniels*
City Attorney Arnold reads Ordinance No. O-32-2024 by title.
Mayor Kelley opens the public hearing.
Following no comments, Mayor Kelley closes the public hearing.

Motion to approve second and final reading of Ordinance No. O-32-2024, rezoning approximately 1.79 acres of property located at 4604 CR 209S from heavy industrial county to M-2, Industrial Park.

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

11. Public Hearing and approval of Resolution R-31-2024, a Resolution amending General Fund, Building Fund, Customer Service Fund, Stormwater and Self-insurance Fund operating budget for Fiscal Year 2024 per Exhibit "A". *Sue Wang*
Finance Director Sue Wang speaks and presents the budget amendment.
Mayor Kelley opens the public hearing.
Following no public comments, Mayor Kelley closes the public hearing.

Motion to approve Resolution No. R-31-2024 amending the 2024 Operating Budget for the General Fund, Building Fund, Customer Service Fund, Stormwater and Self-insurance Fund per Exhibit "A".

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 pulled item 17 and Council Member Butler pulled item 24.

Motion to approve Consent Agenda items 12 through 29 minus 17 and 24.

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

12. City Council approval of, and authorization for the mayor to execute, Modification #2 to the Hazard Mitigation Grant Program (HMGP), Federally-Funded Subaward and Grant Agreement # H0297 / Project Number 4337-218-R, Utility Mitigation and Generator Project. Modification #2 extends the Period of Agreement to January 31, 2025. *Scott Schultz*
13. City Council approval of the Axon agreement. *Interim Chief Hines*
14. City Council approval of, and authorization for the mayor to execute, Disbursement Request #2 in the amount of \$65,000.00 for Mittauer & Associates for permitting and design services for the Magnolia Point Reclaimed Water System & Potable Water System Improvements. *Scott Schultz*
15. City Council approval to standardize products from Safety Products, Inc. for purchasing employee uniform shirts. *Scott Schultz*
16. City Council approval of Pay Application #7 for the West Street CDBG Stormwater Improvements and Highland Sidewalk Improvements to Besch and Smith in the amount of \$199,050.44. *Greg Bauer*
17. City Council approval of the Interlocal Agreement with Clay County for Grant Research and Writing Assistance. *Steve Kennedy*
Mayor Kelley thanks staff for pulling together this agreement and making the suggestion of using assistance from the county.
City Manager Steve Kennedy speaks and introduces Megan Covey with the Clay County Grant Department.
Megan Covey with Clay County speaks about grant writing and working with the city.

Motion to approve Consent Agenda item 17.

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

18. City Council approval to purchase Laptops for City Police Officers to Enhance Public Safety and Efficiency in the amount of \$48,824.16 through the State of Florida Contract, Dell NASPO Computer Equipment PA - Florida. **Angel Alicea**
19. City Council approval of change order #2 to Kirby Development, Inc. for construction of the Julia Street Stormwater Improvement Project in the additive amount of \$47,196.00 and eight (8) contract days. **Greg Bauer**
20. City Council approval of pay application #3 to Kirby Development, Inc. In the amount of \$202,104.83, for the Julia Street Stormwater Improvement Project. **Greg Bauer**
21. City Council approval of the Sawcross (Tender Contractor) Pay Request #6, in the amount of \$276,925.00, and authorization for the mayor to execute Disbursement Request # 22 (to follow), and SJRWMD Pay Request #8 (to follow), 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**
22. City Council approval of funding in the approximate amount of \$500,000.00 for electric materials for the construction of the Rookery Development Phase 1 Electric System. **Scott Schultz**
23. City Council approval of funding in the approximate amount of \$1,000,000.00 for electric materials for the construction of the Rookery Development Phase 2A Electric System. **Scott Schultz**
24. City Council approval of the Eden Butler Estates Final Plat for the development of 4 single-family lots on parcel #s 017738-000-00 & 017743-000-00. **Michael Daniels**
Mayor Kelley advises Council Member Butler pulled this item due to needing to abstain.

Motion to approved Consent Agenda item 24.

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

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

25. City Council approval of the Magnolia Trace Final Plat for the development of 4 single-family lots on parcel # 017595-000-00. **Michael Daniels**
26. City Council approval of subgrant agreement # Z4266 with FDEM for FEMA reimbursements related to Hurricane Debbie DR4806. **Mike Null**
27. City Council approval of the request for the renewal of the yearly subscription of Pulseway Remote Monitoring and Management Software. **Angel Alicea**

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28. City Council approval of the Development Agreement to defer 50% of building permit fees for the Vineyard Transition Center Building Improvement Plan. *Michael Daniels*
29. City Council approval of the Final Pay Application including retainage - Walnut Street Improvements, to provide roadway, utility, pedestrian and streetscape improvements on Walnut St from Palmetto Ave to the River in the amount of \$160,589.50 to CGC, Inc. *Greg Bauer*

COUNCIL BUSINESS

30. Resolution No. R-30-2024 electing to opt out of the property tax exemption for moderate income properties pursuant to implement the requirements set forth in Senate Bill 328 and House Bill 7073 Live Local Amendment Act relating to Affordable Housing Regulations *Michael Daniels*
City Attorney Arnold speaks
Development Services Director Michael Daniels speaks and explains the purpose of the resolution and the opt out of property tax exemption.
Council Member Butler question it will affect the habitat projects.
Mr. Daniels advised that it will mainly affect moderate income homes and it's going to hit rentals as well.
Council Member Gaw questions how often a survey will be performed determine when you have a surplus or deficit?
Mr. Daniels advised the survey will be performed annually.
Council discussion followed concerning the opt out and if this would be done on a yearly basis.

Motion to approve Resolution No. R-30-2024 for the City to opt-out of the Live Local Missing Middle Tax Exemption pursuant to Section 196.1978(3)(o).

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

31. Discussion and approval of the 2023/2024 Red Light Camera Intersection Safety Report. *Interim Chief Hines*
Interim Chief Hines advises this is a requirement annual report that has to be heard and allow public comments. He advises it is required to be done by December every year so going forward it will be completed in September due to the report dates running from July to June.
Council Member Gaw asks during the next report if there can be some traffic statistics included.
Discussion followed concerning traffic statistics and also on showing intersection statistics.
Interim Chief Hines advises that moving the camera from Houston to Leonard C Taylor has shown a decrease in citations.
Discussion followed about adding remote devices to catch people speeding in the school zones.
Joe Sobotta 212 North St. GCS speaks about the cameras and the 9,665 citations that were issued with only 33 contesting.
Discussion followed concerning the use of the cameras for red lights and the school zones.

Motion to approve the 2023/2024 Red Light Camera Intersection Safety Report.

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

32. Approve Ordinance No. O-33-2024 on first reading as to form only to authorize a referendum on proposed City Charter amendments. ***L.J. Arnold III***
City Attorney Arnold reads Ordinance No. O-33-2024 by title and presents.
Joe Sobotta 212 North St. GCS questions the city not doing a charter review for 10 years.
Mayor Kelley advises the Council can call a charter review when they feel it is needed and it can be under the 10 year mark.
Mr. Sobotta doesn't support the change to 10 years and questions the building code.
Mr. Arnold advises the building code is done by ordinance.
Discussion followed over the charter and the 5- or 10-year review. This will be on the ballot in April 2025 for the citizens to decide.

Motion to approve Ordinance No. O-33-2024, as to form only, on the first 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

33. Discussion on editing Chapter 54 in the City Code to add Article III. ***Interim Chief Hines, Detective Milliken***
Interim Chief Hines speaks about the addition of article three to chapter 54 for the City Code.
Detective Milliken speaks about the ordinance and the addition of the child safety zones that will be included in the ordinance. The city does not currently have child safety zones or any restrictions for Halloween.
Discussion followed concerning the addition of the ordinance and child safety zones.

Motion to approve amendments to the chapter 54 city code to add article three and bring the ordinance back for review.

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

34. Discussion of the AMI Meters ***Andy Yeager***
Electric Director Andy Yeager speaks to the Council and advises there are three customers that are refusing to switch to the new meters. Mr. Yeager advises that the new meters provide readily available information and we are able to communicate with the meters.
Discussion followed concerning the new meters and what the concerns were for the three citizens that were against switching. It is suggested to have a sit down meeting with the three citizens to see what their exact concerns are and how we can help them with the changing of the meters.
35. City Manager & City Attorney Reports / Correspondence
The City Manager and City Attorney made comments regarding various city activities, events, operations, and projects.
36. 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 9:00 p.m.

CITY OF GREEN COVE SPRINGS, FLORIDA

Steven R. Kelley, Mayor

Attest:

Erin West, City Clerk