

# CITY OF GREEN COVE SPRINGS CITY COUNCIL REGULAR SESSION

321 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA  
TUESDAY, JUNE 07, 2022 – 7:00 PM



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## MINUTES

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Invocation & Pledge of Allegiance to the Flag - **Chaplain Joseph Williams, CCSO**

Roll Call

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

**STAFF MEMBERS PRESENT:** L.J. Arnold, III, City Attorney, 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.  
No comments

### AWARDS & RECOGNITION

1. Recognition - Ed Gaw, Mayor - 2021 - 2022 - **Mayor Johnson**  
Mayor Johnson speaks and presents a plaque to Council Member Gaw.  
Council Member Gaw speaks and thanks everyone for supporting him during the year.
2. New Officer Swearing-In - **Chief Guzman**  
Sean Hickman  
Josef Van Hof  
Due to a schedule conflict, this item will be moved to a future meeting.

### PRESENTATIONS

3. Presentation by Jacob Williams, FMPA General Manager and CEO, regarding Electric utility costs.  
Mayor Johnson moved item #20 and item #22 to be completed with this item.  
Bob Page presents the June FMPA report.  
Jacob Williams with FMPA presents regarding electric utility and natural gas costs.  
Council discussion follows both presentations.

**Motion to authorize staff to investigate further and to allow the City Manager to make the decision and possibly secure beneficial acquisitions to mitigate our risk on the electrical cost.**

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

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

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**PUBLIC HEARINGS**

4. Second and Final reading of Ordinance No. 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.  
Mayor Johnson opens the public hearing.  
Following no public comment, Mayor Johnson closes the public hearing.

**Motion to approve Ordinance No. O-16-2022 on second and final reading.**

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

5. Second and final reading of Ordinance No. O-11-2022, an Annexation Application for the Preserve Development, approximately 13.92 acres located on South US Highway 17 and CR 209. *Michael Daniels*  
City Attorney Arnold reads the ordinance by title.  
Council Member Gaw reads a letter written by Van Royal. All members of the Council advise they received the same letter.  
Development Services Director, Michael Daniels presents on the ordinance and advises his presentation is for items 5, 6, and 7.  
City Attorney asks Mr. Daniels the Planning & Zoning Board opinion. Mr. Daniels advises the Planning & Zoning board approved the item.  
Mayor Johnson opens the public hearing.  
Eric Conkright, the developer of the project speaks and about the development and advises his presentation is for items 5, 6, and 7.  
Mr. Conkright introduces John Cattano, developer partner on the project.  
Mr. Cattano presents on the project.  
Mr. Conkright presents more on the project.  
Jason Gabriel 50 N. Laura St. Suite 30 Jacksonville, a lawyer speaks on behalf of Pegasus Technologies. Mr. Gabriel speaks to the Council and advises them of the work Pegasus completes.  
Jeff Ludwig 5150 Belfort Rd Building 500 Jacksonville, a lawyer speaks on behalf of Pegasus Technologies and speaks concerning the safety of the development and runway.  
Van Royal 3688 Lacosta Ct, GCS speaks concerning the development.  
Mark Scruby with Rogers Towers advises he represents the owners of the property and speaks concerning the development and airport operations.  
Mr. Cattano responds to comments made on the development.  
Mr. Conkright responds to comments made on the development.  
Following no further public comment, Mayor Johnson closes the public hearing.  
Council Member Gaw thank you to Pegasus for everything you do and speaks concerning Pegasus and Reynolds Park.  
Council Member Kelley thank you to Pegasus for everything you do and speaks about Pegasus being able to move the expressway around Pegasus and the development.  
Council Member Smith thank you to Pegasus for everything you do. The project is impactful to everyone and advises it is not jeopardizing the jobs.

Council Member Butler speaks about safety and the plans the City has in place for expansion and advises people do need places to live.

Council discussion follows with a question concerning moving the runway. Mr. Ludwig advises the runway cannot be moved. The runway is a newer paved, lighted runway and licensed by the FAA.

Mayor Johnson reopens the public hearing.

Virginia Hall PO Box 395 GCS, the property owner speaks concerning the sale of the property and the development.

Jeff Heyse VP of Support Services for Pegasus advises in 1984 Pegasus found their home in GCS and speaks on the capability they provide for the Government.

Ted McGowan 3695 San Viscaya Dr. Jacksonville speaks concerning Pegasus and Reynolds Park.

Dan Jollota 14 St. Johns Ave, GCS an employee with Pegasus, speaks about being a pilot with Pegasus.

Mr. Conkright speaks concerning the height of the development and comments made on this item.

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

Mayor Johnson speaks concerning the development and advises the process for items like this were put in motion many years ago as growth started.

**Motion to approve on second and final reading Ordinance No. O-11-2022, to approve voluntary annexation of 13.92 acres located on US 17 and CR 2019 (a portion of parcel #016499-007-00).**

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

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

Voting Nay: Council Member Smith

6. Second and Final 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 5 was also for this item and staff recommends approval.

Mayor Johnson opens the public hearing.

Eric Conkright advises the Council the comments from item 5 were also for this item.

Jason Gabriel advises the Council the comments from item 5 were also for this item.

Mark Scruby advises the Council the comments from item 5 were also for this item.

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

**Motion to approve on second and final reading 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 (a portion of parcel #016499-007-00).**

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

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

Voting Nay: Council Member Smith

7. Second and Final 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 5 was also for this item and staff recommends approval.  
Mayor Johnson opens the public hearing.  
Eric Conkright advises the Council the comments from item 5 were also for this item.  
Jason Gabriel advises the Council the comments from item 5 were also for this item.  
Mark Scruby advises the Council the comments from item 5 were also for this item.  
Following no further public comment, Mayor Johnson closes the public hearing.

**Motion to approve on second and final reading 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 Smith.

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

Voting Nay: Council Member Smith

8. First Reading of Ordinance O-14-2022, a Rezoning of parcel #017172-000-01 from R-2 to Planned Unit Development for .63 acres located on Roberts St, north of Green Cove Avenue. *Michael Daniels*  
City Attorney Arnold reads the ordinance by title.  
Development Services Director Michael Daniels presents and advises staff recommends denial.  
Council Member Gaw asks Mr. Daniels what the Planning & Zoning vote was on this item. Mr. Daniels advises it was denied 5 to 0.  
Mayor Johnson opens the public hearing.  
Janis Fleet with Fleet and Associates presents on the development and advises Joe Wiggins the investor is present.

Donna Vosburg 1208 Melrose Ave GCS speaks against the development and advises it will be in her back yard.

Shelia Eubanks 1111 S. Roberts St. GCS speaks against an apartment building put in between two houses.

Van Royal 3688 Lacosta Ct, GCS speaks about development and for the project.

Joe Wiggins 91 Branson Rd. GCS speaks to the Council about the development and what the look will be.

Ms. Fleet speaks concerning the choices of sizes and prices for different families.

Joe Sobotta 212 North St. GCS speaks concerning affordable housing and questions prices compared to the market and other high-end apartments being built.

Kathy Roberts 717 S. Oakridge Ave. GCS speaks against the development and being unhappy with other apartment buildings that were built in the area.

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

Council discussion followed with comments concerning spot zoning.

Council discussion with Mr. Daniels advising 5 people spoke against the development at the Planning & Zoning Board meeting.

Chief Guzman gives the Council a crime update in the area.

Mayor Johnson reopens the public hearing.

Carolyn Roberts 717 S. Oakridge Ave GCS is concerned and speaks against the development.

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

Council discussion follows.

**Motion to deny ordinance O-14-2022, to amend the Zoning from R-2 to PUD for .63 acres of property located on Roberts Road north of Green Cove Avenue, parcel #-017172-000-01) based on the factual support that the proposed application is not in compliance with the Comprehensive Plan Future Land Use Policies 1.3.2 and 1.3.4.**

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

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

9. First Reading of Ordinance O-15-2022, a Rezoning of parcel #017172-000-00 from R-2 to Planned Unit Development for 2.11 acres located on Roberts St, north of Green Cove Avenue. *Michael Daniels*

City Attorney Arnold reads the ordinance by title.

Development Services Director Michael Daniels presents and advises staff recommends denial.

Mayor Johnson opens the public hearing.

Janis Fleet with Fleet and Associates presents on the development.

Kathy Roberts 717 S. Oakridge Ave GCS advises she is also against this development.

Donna Vosburg 1208 Melrose Ave GCS advises she is for the growth but against this development.

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

Council discussion follows.

**Motion to deny ordinance O-15-2022, to amend the Zoning from R-2 to PUD for 2.11 acres of property located on Roberts Road north of Green Cove Avenue, parcel #017172-000-00) based on the factual support that the proposed application is not in compliance with the Comprehensive Plan Future Land Use Policies 1.3.2 and 1.3.4.**

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

### 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.

Vice Mayor Butler pulled item# 10 and Council Member Gaw pulled item# 17.

#### **Motion to approve Consent Agenda items 10 through 19 minus 10 and 17.**

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

10. City Council approval of the 2021 water quality Consumer Confidence Report and authorization to include in all customer bills for a single cycle in June / July. **Scott Schultz**

Vice Mayor Butler asks Assistant Water Utilities Director, Scott Schultz if the report was mailed before it was approved.

Mr. Schultz advises the report does not have to be approved it is just a formality being on the agenda for approval. There was a mix up in the reports being sent first.

#### **Motion to approve Consent Agenda item 10.**

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 approval of Pay Application # 11 in the amount of \$26,870.75 to Terry's Electric for Chapman Substation Construction Improvements, leaving a balance of \$49,145.26 in contract number LC 2020-17 in the total revised amount of \$982,905.17. **Andy Yeager**

12. City Council approval of, and authorization for the Mayor to execute, Disbursement Request #13, in the amount of \$504,319.39, which includes Contractor's Pay Request # 12 for Williams Industrial in the amount of \$472,819.39 and Invoice # 22187 for Mittauer in the amount of \$31,500.00, for construction of the Advanced Wastewater Treatment Plant (AWWTP), 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 in the total amount of \$15,426,644.33. Note: This request returns funds to the Wastewater CIP budget. **Scott Schultz**

13. City Council approval of Minutes from 5/3/2022 Regular Session. **Erin West**

14. City Council approval of Mutual Aid Agreements between the Green Cove Springs Police Department and the Orange Park Police Department, and the Green Cove Springs Police Department and the St. Johns County Sheriff's Office. **Chief Guzman**
15. City Council approval of Multi-Agency Mutual Aid Agreement between Fernandina Beach Police Department, Jacksonville Beach Police Department, Atlantic Beach Police Department, Neptune Beach Police Department, Green Cove Springs Police Department, City St. Augustine and St. Augustine Beach Police Department. **Chief Guzman**
16. City Council approval of annual work order for FY 2022-2023 in the amount of \$39,318.70 under FDOT contract number ASO70 for FDOT State Highway System Lighting, Maintenance, and Compensation Agreement, and authorization for the City Manager to execute same annually through the contract expiration date of June 30, 2028. **Mike Null**
17. City Council approval of Pay Application # 2 in the amount of \$68,750.00 to Thomas May Construction Company for installation of the Police Metal Storage Building, leaving a balance of \$0.00. **Greg Bauer**  
Council Member Gaw asks Field Supervisor, Greg Bauer if this project is complete.  
Mr. Baur advises this project is complete.

**Motion to approve Consent Agenda item 17.**

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

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

18. City Council approval of Amendment #1 to contract with Tocoï for engineering services under Bid LC 2021-04 covering the period from April 21, 2022 through April 20, 2023. **Mike Null**
19. City Council approval of Amendment #1 to contracts for each of Mittauer and Tocoï for Engineering services under Bid LC 2021-02 covering the period from April 21, 2022 through April 20, 2023. **Mike Null**

**COUNCIL BUSINESS**

20. FMPA - June 2022 **Bob Page**  
This item was moved and completed with item# 3.
21. City Council discussion of Resolution information for the Annual Florida League Conference in Hollywood, Florida on August 11 -13, 2022. **Erin West**  
City Clerk, Erin West advises she is seeking guidance on resolutions to submit to the Florida League of Cities concerning resolutions presented to the league. Ms. West advises she needs ideas so the resolutions can be added to the June 21<sup>st</sup> meeting for approval.  
Council Members will get with Ms. West with resolution ideas.
22. Discussion and possible approval of Natural gas purchases. **Steve Kennedy**  
This item was moved and completed with item# 3.
23. City Manager & City Attorney Reports / Correspondence

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


24. 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 12:35 a.m.

CITY OF GREEN COVE SPRINGS, FLORIDA



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Daniel M. Johnson, Mayor

Attest:



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Erin West, City Clerk