



**TOWN OF WHITE SPRINGS**  
**“On the Banks of the Suwannee River”**

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**MINUTES**

**WHITE SPRINGS TOWN COUNCIL**

**Regular Council Meeting**

Town Hall Council Chambers

Tuesday, June 13, 2023

6:30 p.m.

1. **Call to Order, Invocation, and Pledge Allegiance to Flag** - Mayor Rivers called the meeting to order at 6:30pm. Town Clerk, Audre’ Ruise led the invocation as the council recited the pledge of allegiance.
  
2. **Roll Call - Members present:** Mayor Rivers, Vice-Mayor Williams, and Councilor Mary Berry. Quorum met with 3 members.
  
3. **Additions, Deletions, and/or Amendments to the Agenda** - None
  
4. **Citizens from the floor:** (Request form needed - 5min. limit) Opening of public hearing/public comments:

**Robert Gamsby:** “I just came to express some concerns over the very least the handling of the proposed development that is on the agenda for today. I did read through all eight of the proposals that were on the website and they are extremely vague as far as what exactly this land will be used for. You have to go into the utilization or the roads and the water, you can get an idea of what they're putting there. They're looking for about 239 apartments, that 195 houses and then 133,000 square feet of commercial space with no indication of what kind of a pharmacies will be. Who will be occupying these apartments, what kind of single houses? They will be what kind of commercial spaces will be and we're being expected to make an informed decision on whether or not this is something that we approve as people with absolutely no information. You might as well just say, you know, they have land, they want to use it. What do you guys think? Like this is not any kind of educated. Process and to make a decision with no information, or to only receive the information right now on the spot, right before that decision is made, is extremely irresponsible, especially given the magnitude of this. You're talking about doubling the population of White Springs in one stroke of a pen. And we're given no time to consider this. And even just the way this meeting is set up, we are being asked to voice our concerns before they even come and tell us what we should be concerned about.

**Attorney Joel Foreman:** So, I can help you with that. They'll be public hearings and you'll be able to speak for or against each thing as the board votes on it, so you'll have another opportunity to speak about this issue.

**Robert Gamsby:** In reading the proposals, there is sheets in there that are dated to be signed today saying that there is 30 days before they can implement it. So basically, the stuff that is on the website says opposite of what you're saying, it says that it will be done today and then we have to object.

**Attorney Foreman:** As we go through the meeting as these items are called up, they'll be public hearings, which means as those things are discussed.... You can finish your thought, but you'll have another opportunity to speak for or against each one as they are called, okay.

**Robert Gamsby:** I've expressed my overarching concern now and you will be hearing from me as these things come up.

**Dennis Price:** I'm gonna wait for the presentation to see what questions I have.

**Nicole Williams:** I'm gonna wait.

**Ashley Bryant:** I was gonna throw a family and friends day on June 25th. I wanted to see what I had to do to reserve the ballpark?

**Mayor Rivers:** There is a policy on that, so you'll need to come in and talk with Cynethia or Audre' about that because there's a form you will have to fill out. You have to pay if there's going to be more than 50 people and hire security. We discussed that in another meeting.

**Ashley Bryant:** I'm not using the ballpark.

**Mayor Rivers:** If you want to use the water, that's part of it too. You're welcome to come in and talk with Audre' or Cynethia.

**Town Clerk Ruise:** Are we still doing the one time a month for community events?

**Town Manager George:** That's not for that.

**Mayor Rivers:** That's not for that.

**Beth Daniels:** I have two questions. First question is regarding the land. There's notices everywhere about... There's a supposed to be a public meeting today at 6:00 o'clock about the development. What happened?

**Council:** Who posted it? The town didn't.

**Attorney Foreman:** There were not a separate meeting.

**Beth Daniels:** There was documentation also. I read it somewhere today, on site.

**Mayor Rivers:** We weren't aware. I wasn't aware and I would think that I would have known that. Somebody would've brought it to my attention.

**Beth Daniels:** Second question; I'm asking regarding what happened in a meeting two or three months ago. There was a discussion around the applicants in the new Planning and Zoning Board. And now everything looks as if the town council is also going to have to act as the Planning and Zoning Board.

**Mayor Rivers:** We did approval for everyone to be on planning and zoning board. Planning and zoning is welcome to meet. We don't have a planner, so without one and just a board, it still has to come to the council, even if you have a planner. But without having a planner, what sense does it make for a board to meet without a professional planner?

**Beth Daniels:** Well, I guess my question would be as far as looking for community input that would be by the people who get on that board and then there's a little bit of separation between government and towns so that you've got input from citizenry. That's I guess my question.

**Mayor Rivers:** And we did. We approved the board members.

**Town Manager George:** My I interject Madam Mayor?

**Mayor Rivers:** Yes

**Town Manager George:** I think the people who were on the planning board, they just never had a meeting. That's the only reason they never did. So that's on the board to call a meeting.

**Mayor Rivers:** The meeting is not on the town for the planning and zoning to meet. Each board has their own chairman and so forth. And so they set up their meetings. Mr. Dennis Price weren't you on planning and zoning before? Can you explain how that was done?

**Dennis Price:** It would be an application.

**Mayor Rivers:** We did all of that. We're past that.

**Dennis Price:** Set up a meeting, for you know the independence of City Council and they would do all the planning it. They're sure everybody attended, you know, granted for instance a parade. So I guess it's kind of up to them to hold the meetings.

**Beth Daniels:** So wouldn't the town council be recommending or guiding any kind of like how you do things?

**Mayor Rivers:** NO, 's a that's a committee that strictly committee thing and whoever is on that committee. They notify the clerk of their meeting so she can post it. OK and you take your own

notes, your own minutes, all of that. You turn them into the town. You got the written and they'll, you know, post it.

**Town Clerk Ruise:** And of course, whatever they come up with, they'll have to bring it back to the council.

**Beth Daniels:** I guess I expected some kind of notification that said that says it didn't work. I mean, we don't have enough because maybe that would get people kind of geared up. Maybe they're being a little bit more proactive. There would have been some kind of statement or you know, letting it citizen, we know that it's not going to happen.

**Mayor Rivers:** I mean it's the board. There is a, zoning board, people were approved, but it's up to that planning and zoning board to, you know make their own meeting dates.

**Town Clerk Ruise:** Cynethia and I spoke to most of the members, telling them that same thing. Past several months,

**Beth Daniels:** OK.

**Tony Grace:** I'm gonna wait on my comments on that proposed deal. OK. I have other issues though. I have a concern with the people on the other end of our area here, all hours of the night, up and down the roads on quads, motorcycles, all hours of night. Some of us get up five in the morning, go to work. I understand we don't have a Police Department in this town, which I don't get, it takes 40 minutes for the sheriff's to come out here. Something has got to be done. I've already approached them once told stay off the road, we don't want them on the road. That is a road, that is not a street. From what I was told when I moved here, the people on Diamond St. paid you guys to pave that road as private access to our houses. OK, that's why I was told by coach that built his house. He lives across street from me. I've already told him that it needs to be dealt with, to quit coming down the road and tell your buddies. Because if not, I'm gonna have the sheriff out here and if the Sheriff can't rectify it then we're all going to rectify it on our own. Whether it be speed bumps, whatever, I don't care. We have no speed limit sign on that street whatsoever, which it should be posted. We also have these guys running through our properties OK.

**Mayor Rivers:** I live down the road from you and I hear it all night too. It's not the people that live there, it's guys that live out in the county that are coming into town with that.

**Tony Grace:** Quad?

**Mayor Rivers:** He does not live there. OK, well hang out there.

**Tony Grace:** The long haired red head, Quad he lives down. OK, well, I'm just letting you know. Something needs to be done. OK.

**Mayor Rivers:** I know who it is and I have complained. As the mayor, I have problem. Sheriff department. I've complained. I have them on video. Do you know what the sheriff deputy told me? There is nothing they can do unless they catch them. Video. What else do you need?

**Tony Grace:** Now I see him sitting on these roads like it won't work. OK, yeah, hold people over for tickets. I get that. Oh, you can do that. Why can't you station somebody out here to catch them on these blocks?

**Mayor Rivers:** Do you know how many stop signs we'd have to put up that corner? Because they run them over,

**Tony Grace:** Which was my next topic. That sign is literally falling down and you can't even read stuff on it.

**Mayor Rivers:** And they spin all over in people's yard.

Yes, yes they have.

**Mayor Rivers:** They drove on the other side.

Now they drove on my half acre which is vacant. Which I'm not gonna tolerate. OK, well then you hear them doing the roadies out there. My husband has said please stop doing it, but you know, disrespectful.

**Tony Grace:** I got well, that's what coach said because he was a little punk when he drove off. I said I'm gonna call sheriff. He said you want me to dial the number. I said you don't have to have a dial number. So either sheriff's gonna take care of it or we're gonna take it. You know, we're gonna do it ourselves. I mean, if we have to pay for the speed bumps, we'll pay for them. I don't care. But there needs to be a sign on that road posted 10 miles an hour because people are flying up and down that road and tractor trailers have no business going down that road, so. Those are my concerns right now. OK. OK.

**Mayor Rivers:** Alright, no more citizens on the floor? Then we will close the meeting and go into public hearing.

**5. Presentation - PUBLIC HEARINGS - Atty. Joel Foreman swore in Brandon Stubbs, Sr. Planner with NFPS, Inc. Atty. Foreman read the titles of the following 8 Resolutions/Ordinances. (go to the end of the 4/8 articles with Atty. Foreman)**

**HEARING - CPA 2023-01 and Z 2023-01**

A. RESOLUTION NO. PZ/LPA CPA 2023-01 - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF THE TOWN OF WHITE SPRINGS, FLORIDA, AND THE LOCAL PLANNING AGENCY OF THE TOWN OF WHITE SPRINGS, FLORIDA; RECOMMENDING TO THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, APPROVAL OF AN AMENDMENT OF ONE-HUNDRED OR LESS ACRES TO THE FUTURE LAND USE MAP OF THE TOWN OF WHITE SPRINGS COMPREHENSIVE PLAN, PURSUANT TO AN APPLICATION BY THE PROPERTY OWNER, UNDER THE PROCEDURES

ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR AMENDING THE LAND USE CLASSIFICATION FROM AGRICULTURE TO RESIDENTIAL, HIGH DENSITY OF CERTAIN LANDS WITHIN THE TOWN OF WHITE SPRINGS, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

- B. ORDINANCE NO. 23-04 – FIRST READING. AN ORDINANCE OF THE TOWN OF WHITE SPRING, FLORIDA, RELATING TO AN AMENDMENT TO THE FUTURE LAND USE PLAN MAP OF THE TOWN OF WHITE SPRINGS COMPREHENSIVE PLAN, PURSUANT TO APPLICATION **CPA 2023-01**, BY THE PROPERTY OWNER, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR THE AMENDMENT OF THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN FROM AGRICULTURE TO RESIDENTIAL, HIGH DENSITY OF CERTAIN LANDS WITHIN THE INCORPORATED LIMITS OF THE TOWN OF WHITE SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE
- C. RESOLUTION NO. PZ/LPA Z 2023-01 - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF THE TOWN OF WHITE SPRINGS, FLORIDA, AND THE LOCAL PLANNING AGENCY OF THE TOWN OF WHITE SPRINGS, FLORIDA; RECOMMENDING TO THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, APPROVAL OF THE REZONING TO THE OFFICIAL ZONING ATLAS OF THE TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, AS AMENDED, PURSUANT TO AN APPLICATION BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING FOR REZONING FROM AGRICULTURE (“AG”) TO RESIDENTIAL, MULTIPLE FAMILY-2 (“RMF-2”) OF CERTAIN LANDS WITHIN THE TOWN OF WHITE SPRINGS, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE
- D. ORDINANCE NO. 23-08 – FIRST READING. AN ORDINANCE OF THE TOWN OF WHITE SPRING, FLORIDA, AMENDING ORDINANCE 98-1, TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, AS AMENDED; RELATING TO AN AMENDMENT TO THE OFFICIAL ZONING ATLAS OF THE TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, PURSUANT TO APPLICATION **Z 2023-01**, BY THE PROPERTY OWNER OF

SAID ACREAGE; PROVIDING FOR REZONING FROM AGRICULTURE (“AG”) TO RESIDENTIAL, MULTIPLE FAMILY-2 (“RMF-2”) OF CERTAIN LANDS WITHIN THE INCORPORATED LIMITS OF THE TOWN OF WHITE SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

**HEARING - CPA 2023-02 and Z 2023-02**

- A. **RESOLUTION NO. PZ/LPA CPA 2023-02** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF THE TOWN OF WHITE SPRINGS, FLORIDA, AND THE LOCAL PLANNING AGENCY OF THE TOWN OF WHITE SPRINGS, FLORIDA; RECOMMENDING TO THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, APPROVAL OF AN AMENDMENT OF ONE-HUNDRED OR LESS ACRES TO THE FUTURE LAND USE MAP OF THE TOWN OF WHITE SPRINGS COMPREHENSIVE PLAN, PURSUANT TO AN APPLICATION BY THE PROPERTY OWNER, UNDER THE PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR AMENDING THE LAND USE CLASSIFICATION FROM AGRICULTURE TO RESIDENTIAL, MEDIUM DENSITY OF CERTAIN LANDS WITHIN THE TOWN OF WHITE SPRINGS, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE
- B. **ORDINANCE NO. 23-05** – FIRST READING. AN ORDINANCE OF THE TOWN OF WHITE SPRING, FLORIDA, RELATING TO AN AMENDMENT TO THE FUTURE LAND USE PLAN MAP OF THE TOWN OF WHITE SPRINGS COMPREHENSIVE PLAN, PURSUANT TO APPLICATION **CPA 2023-02**, BY THE PROPERTY OWNER, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR THE AMENDMENT OF THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN FROM AGRICULTURE TO RESIDENTIAL, MEDIUM DENSITY OF CERTAIN LANDS WITHIN THE INCORPORATED LIMITS OF THE TOWN OF WHITE SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE
- C. **RESOLUTION NO. PZ/LPA Z 2023-02** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF THE TOWN OF WHITE SPRINGS, FLORIDA, AND THE LOCAL PLANNING AGENCY OF THE TOWN OF WHITE

SPRINGS, FLORIDA; RECOMMENDING TO THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, APPROVAL OF THE REZONING TO THE OFFICIAL ZONING ATLAS OF THE TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, AS AMENDED, PURSUANT TO AN APPLICATION BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING FOR REZONING FROM AGRICULTURE (“AG”) TO RESIDENTIAL, SINGLE FAMILY-3 (“RSF-3”) OF CERTAIN LANDS WITHIN THE TOWN OF WHITE SPRINGS, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

- D. ORDINANCE NO. 23-09 – FIRST READING. AN ORDINANCE OF THE TOWN OF WHITE SPRING, FLORIDA, AMENDING ORDINANCE 98-1, TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, AS AMENDED; RELATING TO AN AMENDMENT TO THE OFFICIAL ZONING ATLAS OF THE TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, PURSUANT TO APPLICATION **Z 2023-02**, BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING FOR REZONING FROM AGRICULTURE (“AG”) TO RESIDENTIAL, SINGLE FAMILY-3 (RSF-3”) OF CERTAIN LANDS WITHIN THE INCORPORATED LIMITS OF THE TOWN OF WHITE SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

**HEARING - CPA 2023-03 and Z 2023-03**

- A. RESOLUTION NO. PZ/LPA CPA 2023-03 - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF THE TOWN OF WHITE SPRINGS, FLORIDA, AND THE LOCAL PLANNING AGENCY OF THE TOWN OF WHITE SPRINGS, FLORIDA; RECOMMENDING TO THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, APPROVAL OF AN AMENDMENT OF ONE-HUNDRED OR LESS ACRES TO THE FUTURE LAND USE MAP OF THE TOWN OF WHITE SPRINGS COMPREHENSIVE PLAN, PURSUANT TO AN APPLICATION BY THE PROPERTY OWNER, UNDER THE PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR AMENDING THE LAND USE CLASSIFICATION FROM AGRICULTURE TO COMMERCIAL OF CERTAIN LANDS WITHIN THE TOWN OF WHITE SPRINGS, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE



- B. ORDINANCE NO. 23-06 – FIRST READING. AN ORDINANCE OF THE TOWN OF WHITE SPRING, FLORIDA, RELATING TO AN AMENDMENT TO THE FUTURE LAND USE PLAN MAP OF THE TOWN OF WHITE SPRINGS COMPREHENSIVE PLAN, PURSUANT TO APPLICATION **CPA 2023-03**, BY THE PROPERTY OWNER, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR THE AMENDMENT OF THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN FROM AGRICULTURE TO COMMERCIAL OF CERTAIN LANDS WITHIN THE INCORPORATED LIMITS OF THE TOWN OF WHITE SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE
- C. RESOLUTION NO. PZ/LPA Z 2023-03 - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF THE TOWN OF WHITE SPRINGS, FLORIDA, AND THE LOCAL PLANNING AGENCY OF THE TOWN OF WHITE SPRINGS, FLORIDA; RECOMMENDING TO THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, APPROVAL OF THE REZONING TO THE OFFICIAL ZONING ATLAS OF THE TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, AS AMENDED, PURSUANT TO AN APPLICATION BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING FOR REZONING FROM AGRICULTURE (“AG”) TO COMMERCIAL, GENERAL (“CG”) OF CERTAIN LANDS WITHIN THE TOWN OF WHITE SPRINGS, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE
- D. ORDINANCE NO. 23-10 – FIRST READING. AN ORDINANCE OF THE TOWN OF WHITE SPRING, FLORIDA, AMENDING ORDINANCE 98-1, TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, AS AMENDED; RELATING TO AN AMENDMENT TO THE OFFICIAL ZONING ATLAS OF THE TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, PURSUANT TO APPLICATION **Z 2023-03**, BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING FOR REZONING FROM AGRICULTURE (“AG”) TO COMMERCIAL, GENERAL (“CG”) OF CERTAIN LANDS WITHIN THE INCORPORATED LIMITS OF THE TOWN OF WHITE SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

**HEARING - CPA 2023-04 and Z 2023-04**

- A. **RESOLUTION NO. PZ/LPA CPA 2023-04** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF THE TOWN OF WHITE SPRINGS, FLORIDA, AND THE LOCAL PLANNING AGENCY OF THE TOWN OF WHITE SPRINGS, FLORIDA; RECOMMENDING TO THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, APPROVAL OF AN AMENDMENT OF ONE-HUNDRED OR LESS ACRES TO THE FUTURE LAND USE MAP OF THE TOWN OF WHITE SPRINGS COMPREHENSIVE PLAN, PURSUANT TO AN APPLICATION BY THE PROPERTY OWNER, UNDER THE PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR AMENDING THE LAND USE CLASSIFICATION FROM AGRICULTURE TO RESIDENTIAL, HIGH DENSITY OF CERTAIN LANDS WITHIN THE TOWN OF WHITE SPRINGS, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE
- B. **ORDINANCE NO. 23-07** – FIRST READING. AN ORDINANCE OF THE TOWN OF WHITE SPRING, FLORIDA, RELATING TO AN AMENDMENT TO THE FUTURE LAND USE PLAN MAP OF THE TOWN OF WHITE SPRINGS COMPREHENSIVE PLAN, PURSUANT TO APPLICATION **CPA 2023-04**, BY THE PROPERTY OWNER, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR THE AMENDMENT OF THE FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN FROM AGRICULTURE TO RESIDENTIAL, HIGH DENSITY OF CERTAIN LANDS WITHIN THE INCORPORATED LIMITS OF THE TOWN OF WHITE SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE
- C. **RESOLUTION NO. PZ/LPA Z 2023-04** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, SERVING AS THE PLANNING AND ZONING BOARD OF THE TOWN OF WHITE SPRINGS, FLORIDA, AND THE LOCAL PLANNING AGENCY OF THE TOWN OF WHITE SPRINGS, FLORIDA; RECOMMENDING TO THE TOWN COUNCIL OF THE TOWN OF WHITE SPRINGS, FLORIDA, APPROVAL OF THE REZONING TO THE OFFICIAL ZONING ATLAS OF THE TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, AS AMENDED, PURSUANT TO AN APPLICATION BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING

FOR REZONING FROM AGRICULTURE (“AG”) TO RESIDENTIAL, MULTIPLE FAMILY-2 (“RMF-2”) OF CERTAIN LANDS WITHIN THE TOWN OF WHITE SPRINGS, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

- D. ORDINANCE NO. 23-11 – FIRST READING. AN ORDINANCE OF THE TOWN OF WHITE SPRING, FLORIDA, AMENDING ORDINANCE 98-1, TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, AS AMENDED; RELATING TO AN AMENDMENT TO THE OFFICIAL ZONING ATLAS OF THE TOWN OF WHITE SPRINGS LAND DEVELOPMENT REGULATIONS, PURSUANT TO APPLICATION **Z 2023-04**, BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING FOR REZONING FROM AGRICULTURE (“AG”) TO RESIDENTIAL, MULTIPLE FAMILY-2 (“RMF-2”) OF CERTAIN LANDS WITHIN THE INCORPORATED LIMITS OF THE TOWN OF WHITE SPRINGS, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

So procedurally the Planning and Zoning Board was not meeting under charter. It serves in an advisory capacity to the council. The applicant has filed its application Mr. Stubbs several months ago that fair to say there have been no action on the application the applicant. Therefore, appeal directly to the Council, to the Council will be sitting this evening in the capacity of the local planning agency under statute and performing the functions of essentially advising itself, as well as adopting resolutions and first readings of ordinances, So these will not go into effect tonight that we first readings and also have to have review. Procedurally, Mr. Stubbs is representative for Management Svcs. the applicants, of North Florida Professional Services, Mr. Stubbs is going to be state sworn. Throughout the evening. He will present each one of these four packages, and then they'll be a public hearing where anyone can speak for or against. The item Mr. Stubbs addresses, we'll go through all four of them. At the conclusion of each public hearing, there's a series of two resolutions and two first reading ordinances that the council have to address. If you want to speak for or against any of those, please do so as part of the consolidated public hearing. With that, Mr. Stubbs asked you to come forward, address the council. There is not eight(8); it's 4 different properties. There's the zoning application and CPA amendment application has to each one. OK, so Mr. Stubbs will explain everything to to to the satisfaction of board if you would. When you come forward, please just look at me and I'll swear you very quickly. You'll see how I do Mr. Stubbs, and just give yourself a second to be sworn into your testimony account, OK? Do you swear the testimony you're going to give? The truth and nothing but the truth? Please identify yourself with the record. Brandon Stubbs, Senior Planner for North Florida Professional Services, Inc.; and I'm here representing Management services on four land use and four zoning changes. Well, the first you need to read the ordinance or anything with it when they consider it. Just explain them if you would. But this is the first step in a long list of processes and so to look at this as a the building for my client to go out there and just develop hundreds of units. This is not that this is a land use change, this is a basic. Saying saying I would like to do some development on this property. In order to do that I have to go through a study process as far as the land use change. If the land use is adopted, zoning change and then once the land use and zoning is there, then you have to go through all the engineering site plan process, the development plan. So there's a lot of steps that have to have them before there's. Any breaking around,

any development and all of that will come back before this Commission. So I do want to reiterate that this is no, what were y'all were looking at side is not any development rights for approval for development itself. This is just land use and zoning. The first piece I want to talk about is Parcel A apologize and Blue did not show as well as I hoped, but as the triangle piece at the top, that's 6.44 acres. That, of course, will recurrence. Land uses agriculture. The current zoning is agriculture. The proposed land uses residential high density, which does allow both to 20 units per acre. And the proposed zoning is residential multifamily too. That's what's proposed. And that allows for the 15 single family dwellings, or if it's only family, of the 20 units per year. Parcel is 6.44 acres is located north of widespread library. Foster Folk Culture State Park South of US Hwy. 441 of White Springs Hair Design east of SE 164th St. Jacksons Palm and Stephen Foster Drive as Western US Hwy. 41, White Springs City Hall and single family residential subdivisions. I want to know that this property is what in planning terms is called infill property. So property is property that we have, properties developed all around it and you have. And when you look at the proper planning and smart roads, you always want development because you don't want sprawling development, you don't want development, ??? (inaudible) or so 41 or way South where it's not adjacent to existing compact development, the urban areas. And so this piece is. Actually, the logical development pattern for the existing development pattern that's already there is it is adjacent to existing uses that are similar as commercial uses to the north to the trees, there's of existing residential uses on all sides. So this is what. Playing field. The subject property. Oh. Right now does not have any intended supposed use or what align to talk about is currently under agriculture. Agricultural allow certain types of uses and typically you know agricultural single family. The proposed use allows for a more wide range of uses that my client could come in and partition at a later time to be able to develop once a specific engineering development plan has been developed and that could be. Could be a single family subdivision, which would be 15 or 20 homes. It could be multifamily, which would consist of this particular development. Number of units, from this table. Whether does the Commission will have to come back and approve anything they might? I want to go through the environmental impacts or environmental, says the FEMA Flood Maps panel 359 D for the Emergency Federal Emergency Management dated August 28, 2018, shows that was subject property does have. Some font on the subject property, not on that N piece but on parcel beat. But there are those areas would be preserved. Obviously if it's in a flood zone, you can't develop that without extensive permitting that there's no anticipation that. Would be preserved. Properties all located within the area that's considered a stream. Related to streamer seeing the subject, property is known not to have any materials or minerals that would be useful for mining. Resources are stored properties, properties all day. It's located within. Recharge area, but if you look at more for everything you know for. For recharge area, there's very few areas that are known effect, so our town was. Order. There's a lot of venture communities or anything like that, so there's no like. Well, I haven't had or, you know, rare species or anything like that. There is a concurrency impact analysis and I would like to also say that I would like to incorporate my staff report that was submitted and the analysis of the LDR's as part of the record. Presentation. And so if you look at the currency, there's no negative impacts to concurrency as a result of this development. That's my presentation for the first, just like to remind the commissioners that, you know, this is the first stage. This is just preliminary. This isn't land use. This isn't Revolving plans, and they're all rights to develop. When it comes to planning, this is the proper steps. This is the proper staff report. Covers everything that the land use member should cover. Consistent with state statute and. For experience. Any questions? **Yes, how this affect our efforts our current. Hurricane Our current water supply. Have you all Have you given any thought?** Oh. The current impacts out when we do concurrency for a land use change. You look at the worst case scenario. So what we do is we take the maximum intensity that something could be developed now. And if you look at the the water sewer dialysis in my staff report, the proposed development would. Increase of 36,042 gallons per day. 36,042 gallons today. That's so.

That's the worst case scenario. 36,042. **VM J. Williams:** You don't have any idea what they plan on developing on this type. There is no development we've heard, I've heard. Different topics that you're gonna be. Apartments, grocery store and doctor's office. So none of that's true. There's certainly this is, I mean. They don't have any development plan for any of this. I mean there's. Will there be any other uses, They don't have any potential buyers or a development plan. OK, so there's no potential virus, no potential development plans, and you want the council to make a decision on changing, on changing the zoning for everyone in the town of White Springs. Our Workshops work. Then without members, citizens say what they were lying or what they would. Let the citizens make the decision. So you want the three of us? To change the zoning, zoning. And we don't know what's going to go there. And you think, and you would think that that would be fair for us, the voice of the citizens, to make an informed decision and decide on ordinances tonight that you already have already drafted up and publicized that it was going to be a public hearing. And we're going to make that decision tonight without a workshop. What the sentence inside the voice of the citizens are.

Stubbs: I've spent 20 years as a local government planner and I'll completely understand.

**VM J. Williams:** I'm just appalled that I have a folder full of ordinances resolutions that I'm supposed to just say yes to. And have people read anything? And that's supposed to be figured to the town, the citizens of White Springs? This is a process that every language in the state of Florida this through so. There's something that. Because I haven't looked at this, I don't. First of all, I need to look at my LDR. I need to look through these resolutions. I need to hear from my citizens what they want, what their wishes are for. That I mean, just as input, that I owe that to them. These securities and this is what the public input process is under state law, but I feel like you should have come with a proposal or ask for a workshop or come to explain all of this so we could have citizens here to hear it before tonight.

Stubbs: I mean, I was advised by staff and by. I was told to prepare this stuff and submitted before this hearing.

**VM J. Williams:** It should have been presented to council first; a presentation to the Council.

**Atty. Foreman:** 20 years. And so just just again, the council is not familiar with the planning and zoning process, and it's perfectly fair and understandable. But there's nothing unusual about the way that works. Workshop and that's unconventional. The way again, zoning and compiling amendments. If you think about it, the 30,000 foot view self, nothing is really happening at ground level. The concurrency analysis that's been done frankly is in excess of what you usually do. So zoning will give you a list of permitted uses, a list of prohibited uses, and a list of what are called special exceptions. And it's just your menu, right? So when, depending on which category bag you are, you may have, you know, one residential or one resident for 20 acres, one residence for five acres, and that's where you fall. And then in terms of prohibited uses, you can't build apartments and act right? So the very first step, if you think you might want to do that kind of development in the future, is you come in and say, well, can I get it reset? And so what's going on tonight is the horse way out in front of the car, hey, can we get a change in the land use to allow for us to have that menu right. And then based on that menu it would be Mr. Subs clients obligation to come back and say OK now I'd like now that. I've got the menu I'd like to build. Whatever the case, may be, but this is very conventional. Now I will say this, if the town had a planner right, what you guys would be doing right now is what every other planning zoning board does. She look down at your plan and say, hey, is everything checked out? And that's where I think your concern comes in and I think it's. We've talked many, many times. We lack a plan. I'm not a planner. I made it. I made it very publicly cleared everybody. The issue that you have is the applicant filing application several months ago, OK? Under state law, they're entitled to their human

rights like they're. They invoke that and that's what this is. So they run ads in the newspaper and all that kind of stuff. And so again, if it's an up or down vote kind of situation and it could be a download, right, you could also table certain things. What I would recommend in fact is if you do want to have. Community outreach and that she would in fact table because that way he doesn't have to repost everything. But in terms of the process itself, while it feels objectionable, it's not legally objectionable. And in fact we need to go through it because otherwise you could actually create a situation where the applicant could be. Forced to the ends of the town in a way that would be bad for us, so. Does that include your presentation in terms of what you did you present on the first property? OK, Madam Mayor, what I'd recommend is allow Mr. Stuff to take a seat, open the public hearing, receive comment, you can call him back up and answer any questions that citizens have, and then? We can talk about the actual work items in this public. Open up the floor to the public hearing from the audience.

Mr. Gamsby, Do you swear the testimony you're going to give the truth, nothing but the truth. Yes, I'm just asking questions and if you could just state your name. Robert Gamsby, 16370 Camp Out. Uh, so I was wondering if. Rezoning the property increases its market value and if they are allowed to sell the property and then transfer the new zoning. Message. Yeah, zoning runs with the left. If they sold that, it would continue to be selling this one, OK And if there are protected wildlife species, alligators or versus who live there? Then what happens? And so they go, they get it turned from commercial and then they find out there's an alligator nest. You can't do anything with it. What that typically impacts the development orders that come when they put in a site plan. They say I want to build a 20,000 square foot big box store. They'll be an environmental survey where they'll travel identifier there. Forces are there different. That doesn't happen in the zoning and the CPA phase. That happens at the development phase, which is when they actually show you plans. So there's four different proposals in front of the board tonight, correct? So each proposal takes as its baseline in current traffic and usage statistics, and then they apply the difference to those current ones. There's no attempt to aggravate. The impact that all the four changes that happens, they're all on the same strip before 1. So you can't say we're gonna build apartment buildings here and it's gonna increase traffic by 1000 units and then we're going to build it here and it'll be 1000 units and big box stores 5000 and then pretend like they're all unrelated. So, so when you do concurrency analysis in the development order stage, which is when you say, hey, I wanna build 20 duplexes, there'll be a concurrency analysis done then and it will involve everything. And when you say, hey, I want to come down and put it a subdivision and there's other stuff, there's concurrency analysis done then. To to reflect what's actually on the ground. You're right, looking into a crystal ball and knowing what these four properties are going to be. Right now, so you're right, it's not aggregated and it's not treated that way, but that's that's. As we all know, there is a World War 2 camp for Germans that's right in that area. Do we know if this property is part of that resource site or if it's that's part of that actual camp? He'll respond to everything. OK, cool. Most of my questions are based around what they actually want to do with it, and since we don't know what they're actually going to do with it, I suppose for now I'm done. Thank you.

Name is inaudible: 16373 Down St. Gather for him, speaking. It was kind of like just trying to rush through the process and I get it all through and be done. That's what I gathered through that whole time you were speaking, number one. Number two, everybody knows the villages, right? This is how it started out, where it's at now. OK, #3, if you stop bringing any employment to this town. Running sessions to this now or funds to this town? You know, and it's all going to be low income housing. You know, kind of riff raff that range. Just saying or crying or everything. So then you got the Rose. How long the roads gonna be under construction? You know, some of us only have one way to get home.

**We can't do a detour. See what I'm saying? So yeah, I've got a lot of issues with it. From what I gathered out of this presentation tonight, it's like, let's get in, get it approved. We'll worry about The Daily later, so thank you.**

Anyone else in the audience? (Inaudible) They're answered question about historical resources. There are list of historical resources listed to the department, department, partner, division of historical resources, the master site file and every government of files, their historical resources with that master site file and that. Last updated 1998, but there were no historical resources listed for this site and of course with the states historical resources. So. Without the time they were doing the survey that there have been knowledge that there have been some kind of war to camp at that location, they would have pinpointed that at that time there was never any. List. Question. No. Objections. In terms of protecting species, I think he raised the issue about that. Species as something that developed phase or once the land use and zoning is approved. Your personal historical resources, there are list of historical resources listed to the department, part of the vision of historical resources, the master site file and every government files their historical resources with that master cycle and that was. Last updated in 1998, but there were no historical resources listed for this site and for its with the states. So. The focus of the time they were doing the survey that there have been knowledge that there has been some kind of War 2 camp at that location. They would have pinpointed that. There was none listed.

Are there any questions? Junctions in the terms of protected species. I think that you're going to be raised an issue about that. Yes Sir. Species as something that doesn't get dealt with development phase, so once the land use and zoning is approved and so they want to go in there and kill them comments at that time before they do any engineering once they're doing the surveying.

They would go on and have environmentalist Mr. Dennis Price. If somebody who's qualified under state law to do an environmental assessment and that environmental assessment will look at any endangered species or any other species, that would be list Florida. Should be included with the report. Report also includes weapons and other environmental features. For the Council information, protected species are discovered whether you usually. Turn the speech and all found there's it's actually very expensive. You have to file application through FWC to have them relocated and there's it's very, very expensive. Oh. Almost \$5000 for tours have been relocated, so they're species that are endangered or on the states list that are protected and if development was to pursue, they would have to be responsible for coordinating and permitting to WC to have those speeches relocated and pay the fines and relocating. And the developer does that with the state.

Atty. Foreman: Council, if you had any additional questions or concerns, Mr. Stubbs, if you'll be taking items of that would be a perfect time. So again, procedurally, how the public hearings closed, there's four items for consideration. Ordinarily, the resolutions would be adopted by the Planning and Zoning Board. Because you're sitting in the capacity of the local planning agency, you would adopt the resolutions. The first resolution is PCL, ACPA. 2023-01 is a Comprehensive plan amendment which allows for the Comprehensive Plan to be amended to reflect the updated Zoning Comp Plan amendments this year. Program Tallahassee for part of this was not. You also would adopt an ordinance that would implement the recommendation for resolution to update the Comp Plan. Then there's the resolution number PC LP AZ2023-01. This is the actual Rezoning Resolution and then the final first reading ordinance. Would be to implement the resounding. Now these are first readings. Second readings would occur. At the next town council meeting. So it turns of receiving additional input on all of this. You would have another need to have it heard. Your other alternative, as we discussed earlier, would be to table this to a date certain. If you wanted to table it until the next meeting, you certainly could. That would preserve notices that Mr. Stubbs has and published and would allow for a month for you to have

any community workshops. So with that said, under the first public hearing, the first item is resolution number PC LPA CPA 2023-01, the resolution of the Town Council of the Town of White Springs, FL, serving as the planning and Zoning board of the town of White Springs, FL and the local planning agency of the Town of White Springs, FL. Ending to the Town Council Town, White Springs, Florida. Approval of an amendment to the 100 or less, to an amendment of 100 or less acres to the future land use map the Town of White Springs Comprehensive Plan for application by the Property Owner and the Procedures established in sections 163.3161. Through 163.3248, Florida Statutes as amended, providing for amending the land use classification from agricultural residential identity of certain lands within the town of White Springs, FL. Repealing all resolutions and conflict and providing an effective date, so if the Council wishes to take action on that resolution, Madam Mayor. Table.

You need to do it within the next council meeting you need to take. And in order to preserve the notice, you need to say specifically. That's something we're gonna have to discuss because. I feel like they need a workshop. Their duties. Workshop for the fish. So I would say. And you might have to comment on this until we the one that has to travel back up if there's an inclination to take one. He was probably being client taking them all. And then the question would be, do you want Mr. Stubbs to finish his presentations this evening or would you like it to take care of those? So the workshop between now and the meeting and then do present the formal presentation. We can come up with a date. It's a town workshop and if we have the new members seated. I I guess you want to. Yes, everybody. The only thing that's causing me any heartburn, and again whether you vote up or down, doesn't cause me heartburn, is the age of the application and that's where we started running into a situation where we prejudicing the applicant by not giving the hearing. We have started the process now, which is positive. I don't wanna previous to make further, but if you again as long as you table to a date certain the items that are on the agenda. Understand what you're saying regards to that age of application. I do. And that's, that's the bottom line they need to make. They need to assist and making a more decision because this is your time to. I mean, he doesn't live here. He doesn't understand what White Springs mean to the citizen as well as us. So I understand, I hate that he's had a prolonged application process, but we have to do, we have to do in regards to making sure our citizens are OK.

VM J. Williams: Now normally like you saying application process on this and that but. I've been on the council, I've never had a resolution brought to me already prepared before the the discussion on what the resolution was gonna be on.

Atty. Foreman: But again, in land use and zoning, they're very, very standard. And so they are typically done exactly this way because this is, I just want to reassure the this is exactly how this stuff is typically done, right? Everything's already prepared. They know what they've asked for, so they prepared a resolution that grants them. They've asked for, you can always say no, right? But in terms of the way the resolutions look and read, they're very standardized. So again, I understand the council's reservations about making the big decision, but I do want to assure you I've, I've reviewed what's been presented in person. The only procedural defect we have is we don't have a plan. We don't know planning and zoning board, but everything else you're actually we have a board. I'm gonna say recalled because they're not. So we we have at some point you start having an obligation. The applicant even answer. We don't want that. Kind of corrected path on that, but we will need to move these quickly as possible. Through this. To somebody. OK. Because we got budget. But it is best. Workshop for citizens in August. You also look. Point of our workshop start in August. 3rd and 4th weekend. Whatever you guys want to do again, I'm here in August and September. I really prefer September, but is not gonna work. As soon as you can see the pending application continues with a service, that means you can just do whatever app. Rust. If it pleases the council, I mean, I do want you to understand it's it's literally as simple as what I said. There's



a menu of permitted and prohibited uses and they're all rezoning. Does this change that? Doesn't actually reflect the right thing. Right, it just changed the menu of things they had. It is a big decision. 15. Now, the other thing that you can do if you're if you're convening a workshop, you can call the special meeting for right after that call. Special meeting for next week. Right. So if you are looking at August 15th, you know maybe have the workshop starting at six and then grind through it and then have the special meeting called for immediately follow thereafter cause nothing, none of this material will change that's the other thing because it's being continued material changes so that. If you do special meeting, are we talking about the hour away or just what you do is you notice it for 6:05 PM, OK And then the agenda says to immediate, you know immediately if the workshop last two hours or last two hours, but we take up the special meeting agenda immediately after the workshop. Pleasure. The council is gonna ask for a motion to table for a date certain items 5.

**Mayor Rivers: Alright, so can I get a motion to table Item 5, all of it. VM J. Williams made the motion. That's our August 15th Agenda at 6:00pm ( the Workshop/Item5) May I get a second? I second, Councilor Kizzy Burch. Motion passed 5-0**

Yes ma'am. So procedurally let me understand, is that then mean that would be the first reading of the first vote and then you scheduled the meeting after the workshop, right? For the first first reading, first vote then there has to be a second, there has to be a second reading. Resolutions would get adopted in the special meeting. The ordinance would have first reading, special meeting. So whether second reading the September meeting or not.

Between this time, are they gonna kind of give everybody in town an idea what they're planning on putting on these properties or not? Evidently, they're not gonna tell you what property. I heard was the possibility, but nobody wants to. And so that's the problem. I have personally exactly that that I live in that neighborhood. So you know, it's a personal thing for me. So it's it's not typical to talk about, you know, specific side plans during the planning and zoning process. But at the workshop, now that Mister Stubbs has heard what the concern for the community are, he can go back and talk to his client. Maybe his client wants to come to workshop, maybe they don't, but that might be the way to. The results are absolutely. My own edification if something is approved as being zoned for high density, so let's say the park buildings, and they come forward with a proposal to build apartment buildings. Is this council's hands now handcuffed to rejecting that because it's too much people coming in or it's too dense? No, they're not handcuffed at all. They there's they're requirements under the land development regulations for a site improvement, for cycle approval for development orders. One of those is concurrency. Right. So if they came in and said hypothetically, I wanna build these apartments and it's gonna be 37,000 gallons a day and Ray comes forward and says our plant can't do that, right, We literally cannot service the then it fails concurrency and the council would say we're not going to what about just. Flat You don't want apartment buildings. This is now off the table with being reason to reject. That's the question I have like so. So I do, yeah. You generally want substantial, competent evidence one way or the other is one of the reasons we swear you in. When you give public hearings, your testimony becomes evidence, right? That's why we had you swear in. You generally just need some evidentiary basis and as a legislative generally going to be deferred to by four. Is it possible to deny zoning or land use development plan and be sued for it? Yes, 100% it's possible. That's why it's important that we call the process. Chapter 163 tells us how to do this. That's what we're doing. And you know, the same process that we tried to follow this evening that we follow on the 15th of August. So, So yeah, I would, I would give these And So what you have read them, which I think is really great. Yeah. And so maybe come to the workshop on the evening of the 15th, see if you can get additional questions asked and then there'll be another public hearing. You can express your approval of

disapproval, and I'll save my list of questions, OK? And I would also, I'd be remiss if I didn't say this, but This is why investing in the planner will, because that planner can break this stuff down. And literally once you have a planner you trust, you look at the end of the table says everything looks like it's in order here. And that person nods. So we we will. We lack that because we're a small town. I also reached out. To wait and see what they say, and so I can bring proposals to the Council much to consider. You know it is a lot and you need an expert. You need professional with this new digestive for you. So this is a good lesson, but that's. Alright, we have discussion can vote on to the table.

TM George How old is this election? So it was brought up at the last council meeting that the elections were closed out too early. I read the Charter. My understanding is it reads, The petition shall be filed no later than on the third Tuesday in March of the calendar year in which the election will be held on that otherwise. So it does not say that it cannot end before this time of day, only that it couldn't be later than. I was looking at it also and I see how it got turn because it just says no later than and we got the notice from April 2015 you see that as well and it says that qualify. Which was the 2nd. Tuesday, that's what qualifying is and that is the template that was used. When this one was presented. Qualify ended on March, so once you qualify, she allowed those who qualify to continue to bring their stuff in by that. Third Tuesday. Well, you qualified as well. By that second week it just just ended. She just ended, but we only had two people that even Qualified. Now, so I don't see how this is a stipulation. And so if we create the impression with potential candidates that the deadline any sooner than the deadline provided by charter, then we're vulnerable to an attack, right? They come in and say, hey, I wanted to file by that Tuesday March of when I did, you know, I was told when I saw the calendar said it had to be the the Friday before that, whatever the case would be textually in the way it's drafted if we stopped anybody from filing their petition. Anytime before that third Tuesday of March, if that's problematic now, I don't know.

Atty. Foreman: So yeah, yeah. So what? **What you have at law is a concept called harmless error.** And what that means is yes, you made a mistake. Nobody was prejudiced or harmed by it and we didn't receive any complaints that I'm aware of. I think people after the fact, after the after everything was over with. Expressed concern that the charter may not have been followed through letter, but again you need an agreed order. You know. I know there's folks complaining, OK, you're wrong, but in terms of agreed party, somebody who's actually denied the opportunity to run the candidate, I've not heard that. That they still come forward. And if that does come forward, then yes, this is wrong. As of right now, OK, so if it's a solution not not really having a problem. Yeah, so when you look at the election notice, it says. Qualifying. Started April 21st. I asked. Is there a compilation? So qualifying is March 10 of that year. There's. Qualify ended at. One on March 10th, March 10th was the second Tuesday in 2015, right? So from my experience with the Ethics Commission. Once a precedent has been made. Pretty much. Everything else goes away. And I've just seen it so many times and being an employee here and it's coming to council meeting probably being on. Asking it. And and look, if we do have the lawful history of qualifying people early and then again not, we've not received a complaint. Nobody's threatening to sue. Nobody's threatened to challenge any candidacy. Nobody's threatened to have anybody to lose. You know, I understand your plates have been expressed, but in terms of obligating the Council to act, you know you guys made appointments, what last meeting, right? And those have not been challenged, so. Here. Moving forward, business as usual and if things get elevated then we'll we'll be interested. It wasn't brought up until the council member was actually removed from office. They were a member of the town council when this election began.

Town Clerk: I had to have some template to go back on when I arrived on Jan. the 12th 2021. Not, anything. Did not know anything about an election of the general process. So I looked for Something.

This was the only thing that was nothing else in the file, which is an old thing that somebody actually found. And this is what I went by. So This is why I was like it was nothing intentional to try to hurry up and close the the election process before that third Tuesday. Nobody came to you by now and said none. Can I still file my application?

Atty: That's my point. And harmless error. Let's put it this way if the matter were escalated to the point the curative action was necessary would call special election. But you still have to you know you have to do the town business and you know the the the election notice that was sent out sent out to everybody the exact same election polls. There was. There was time before that closing date to object and say, oh, used to be by two. Again, we didn't hear any of that. So everybody operated on the same rules. There's no evidence that everybody didn't operate on the same. It's an error for a harmless error situation and my advice to the council would be to proceed. Thank you.

Alright, new business. There's a Juneteenth Celebration that is on Saturday, June the 17th from 10:00am til 2:00pm at SF State Folk Culture Center.

Now. And administrative comments, any comments from the public before we go into our department? Get back.

Denis Price: I just simply guess 15 years ago personally put in a sewer line on my property. Since then, you know there was a lot of stick up, you know, people could look at and I'll look into it and connect those looked into it. But you know what are those pickups? The top is broken also to open down into the sewer. Or. You can't find them, so I know you went to a lot of trouble putting that in and did it all and I'm not sure if that's what they were doing all the sewer work in the city. I never saw them on that backyard and I'm not sure if. City hasn't mapped or if there was a report done on it, but I do know that one of those pickups at the end of my property. Cost of capital. Grand. Can you hear him? So. Is it backing up or what? Yeah, behind my residence, but at the at the end of the park, end of my property. What's the problem? Check out for the sewers. When you talk about, you talk about all Hamilton Ave. there. Yeah, well, you know, I just got hearing aids in. Tomorrow. Saying that the the stick ups on the sewer line and Hamilton the top broken off. You know that 4 inch line, That's why I thought you were talking and I don't know if any of the other ones because they disappeared over the years, people have driven on them. They didn't do anything with the. That was something they put in. I just would like to make sure that. My sewer right now is gonna be, you know, maintained this integrity. Kenny had to come out there and dig down. That's fine because it is already collapsed, you know. There's, there's three of them are out there. Yeah, I've got them. Now the other thing is by recurring thing of. City Hall. So like every other house on my street behind me, nobody's taking care of any of it. It's falling apart and flooding that asset for the city, and it's just kind of, yeah, kind of graphic the whole town home. Thank you. Yeah. Gotcha. But the jams on the doors are starting to rod and windows. Deteriorate. From what I've heard, I don't know. TLC. Would like to have the opportunity to buy it so. Thank you. Alright, anymore public comment?

## **6. Approval of Minutes:**

May 9, 2023 – Town Hall Meeting - Mayor Rivers asked for a motion to accept the minutes a written. Councilor Berry made the motion and Vice-Mayor J. Williams seconded. Motion passed 3-0.

**7. Old Business -**

a) **Swearing-In new Town Council Members** - Town Clerk Ruise swore in new council members: Kizzy Burch and Linnie Pope as they took their seat at the council table.

**8. New Business -**

a) **Proclamation - Juneteenth Celebration/Stephen Foster CSO** - Mayor Rivers asked Atty. Foreman to read the proclamation in it's entirety. (see attached flyer)

**9. Departmental/Administrative Comments**

a) **Public - None**

b) **Departments:**

**1. Town Manager -Vanessa George**

- Large deposits were noticed in the general bank account and the origin was unknown. Vanessa consulted with the accountant, and they did a little bit of research. It turns out that Duke mistakenly made two deposits into the town's account. Vanessa was requesting authorization to issue a check to Duke Energy, reimbursing the deposit funds for \$498,000.

Mayor Rivers asked for a motion to pay Duke Energy back their funds. The Vice Mayor made a motion to pay Duke back \$498,000. Motion second by councilor Mary Berry. Motion passed 5-0 vote.

- The air went out at town hall. Water was leaking all over the floor. Donnie Skipper came out and did a quick fix and according to him, his expert opinion is that we will need a new unit soon. He gave us a quote of \$8300.
- Amount of staff health insurance pay black request by Vice Mayor Williams
  - \$3576.50. - 21% (taxes) = \$2516.60.
  - \$4252.50 - 21% (taxes) = \$2991.63.
  - \$10,804.54 -21% (taxes) = \$7600.99
- April financials were reported
  - Payroll reimbursement
  - Bank statements

**2. Fire Department**

Trent, firefighter reported that the fire department was all good!

**3. Utilities**

Ray Vaughn: DEP came out to the water plant. We have an issue with a fire hydrant that has to be replaced because they are dumping 5 to 6 gallons per minute. Ray has two quotes that are both offering the same services. Ray will drain the hydrant when he does the wash out at the water plant, so it won't be but about 120,000 gallons of water going on the ground twice.

Mayor Rivers: called for a vote and Vice Mayor made a motion of the least expensive quote to be processed. Seconded by Councilor Mary Berry. Motion passed 5-0 vote.

### **c) Council**

Mayor Rivers asked for final council comments and Vice Mayor Williams welcomed new council members Kizzy Burch and Linnie Pope.

## **Adjourn**

Meeting adjourned at 8:03pm

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE TOWN COUNCIL, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR PURPOSE THAT PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA) PERSONS NEEDING SPECIAL ACCOMODATIONS TO PARTICPATE IN THE COUNCIL PROCEEDINGS SHOULD CONTACT THE TOWN CLERK'S OFFICE NOT LATER THAN THREE DAYS PRIOR TO THE MEETING.

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Town Manager,

Town Clerk, or Designee

**Vanessa George, Town Manager/ Audre' J. Ruise, Town Clerk**

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