

TOWN OF WELAKA
REGULAR TOWN COUNCIL MEETING

February 13, 2024, at 6:00 PM
Honorable Willie Washington, Jr. Town Council Room
400 4th Avenue, Welaka, FL 32193

(This meeting will be broadcasted, for view only, on the Town of Welaka's Facebook Page)

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE & INVOCATION**
- 3. ROLL CALL BY TOWN CLERK**, Meghan Allmon
- 4. ADOPTION OF PREVIOUS MINUTES**: January 23, 2024, Regular Meeting Minutes
- 5. APPROVAL OF CURRENT AGENDA**
- 6. RECOGNITIONS** - None.
- 7. PRESENTATIONS / REPORTS TO TOWN COUNCIL**
 1. Diane Kelley - Mobile Spay and Neuter Program
 2. Events Committee
 3. Citizens Advisory Committee

Presentations are scheduled by individuals or businesses to inform the Town Council of issues, projects, etc. The Council shall not take formal action upon issues or matters presented under presentations at the same meeting. If formal action is desired, such matters shall be deferred and scheduled for a subsequent or future Council Meeting for consideration. Council may, however, by a majority vote, act on items they deem necessary and appropriate. Items not requiring Council action shall be directed to the mayor for consideration and further action.

- 8. PROCLAMATIONS** - None.
- 9. RESOLUTIONS** - None.
- 10. PUBLIC HEARINGS**
 1. ORD 2024-01 - No wake Zone (First Reading)
- 11. CORRESPONDENCES**
 1. Mayor Watts - Memo to Council 2/7/24 - Utility Billing Issue
- 12. PUBLIC COMMENTS**

A 'Request To Speak Form' shall be completed and submitted to the Town Clerk to officially address the Town Council. There will be no response to the speaker by Council or Town Staff, except the Council Members desiring to address a comment made during this part of the meeting may do so under Section 13 of this section. One specific issue per Form may be submitted, and you will have up to 3 minutes to address the Council.
- 13. CONSENT AGENDA ITEMS** - None.
- 14. NON-CONSENT AGENDA ITEMS**
 - 1. TOWN MATTERS**

- a. Bid review and selection of contractor for forced main sewer repair
- b. Preliminary Boundaries for the Finding of Necessity
- c. Tree ORD Public Workshop - Feb 20, 2024, 6-8 PM
- d. Vulnerability Assessment Meeting to be Rescheduled

2. ZONING BOARD

3. CODE ENFORCEMENT BOARD

15. DEPARTMENT REPORTS

1. PUBLIC WORKS DEPARTMENT REPORT

2. UTILITY DEPARTMENT REPORT

3. POLICE CHIEF MICHAEL PORATH REPORT

4. TOWN ATTORNEY PATRICK KENNEDY REPORT

5. TOWN CLERK MEGHAN ALLMON REPORT

16. MAYOR & TOWN COUNCIL REPORTS

1. MAYOR WATTS

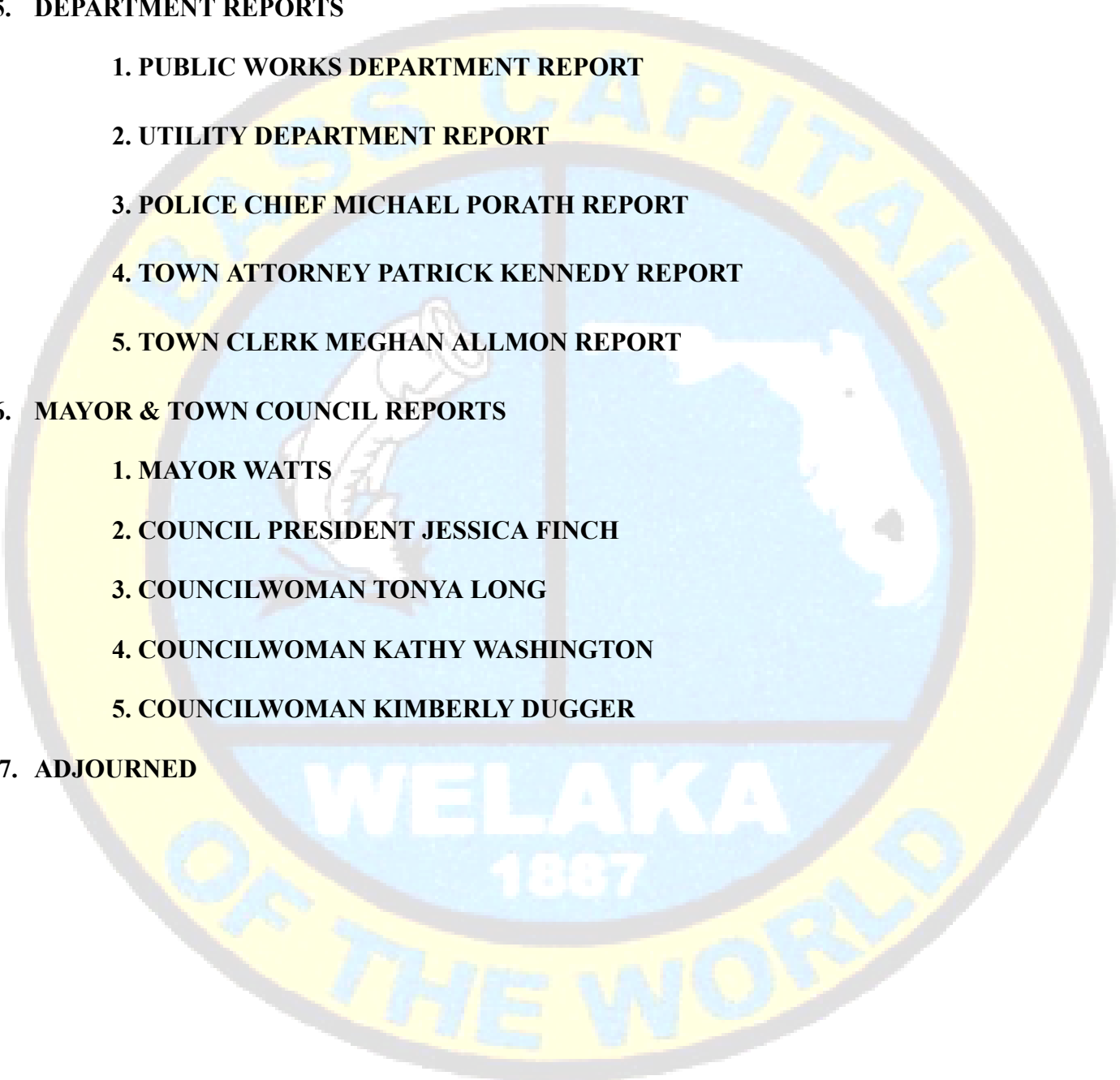
2. COUNCIL PRESIDENT JESSICA FINCH

3. COUNCILWOMAN TONYA LONG

4. COUNCILWOMAN KATHY WASHINGTON

5. COUNCILWOMAN KIMBERLY DUGGER

17. ADJOURNED



TOWN OF WELAKA TOWN COUNCIL MEETING
January 23, 2024, 6:00 PM
(Re-Scheduled from January 9, 2024)
Honorable Willie Washington, Jr. Council Room
400 4th Ave., Welaka FL 32193

MINUTES

(This meeting was broadcasted for view only on the Town of Welaka's Facebook page)

1. Mayor called Meeting to order at 6:00 PM.

2. Everyone stood and said the pledge of allegiance and Dugger gave the invocation.

3. **ROLL CALL** taken by Town Clerk, Meghan Allmon.

Mayor Jamie Watts - present, Council President Jessica Finch - present, Councilwoman Kimberly Dugger - present, Councilwoman Kathy Washington - present, Councilwoman Tonya Long - present, and Town Attorney Patrick Kennedy - present. Five council members are present. We have a quorum.

4. **ADOPTION OF PREVIOUS MINUTES from 12/12/2023 MEETING**

Corrections – None.

Motion to adopt 12/12/2023 Town Council Meeting Minutes made by Finch and seconded by Dugger. Passed 5/0.

5. **APPROVAL OF CURRENT AGENDA**

Motion for approval to accept current 1/9/2024 Town Council Meeting Agenda made by Dugger and seconded by Finch. Passed 5/0.

6. **RECOGNITIONS**

1. A Thank You recognition to Harriett VanSlyke from Nikia Washington

She's a mental wellness counselor with the school district. Help to make sure families have Christmas. She presented a letter of appreciation to Harriett. Some counselors backed-out and Harriett gave them all so many things to give for Christmas.

Harriett said this is Welaka and Helping Hands, not just herself.

Watts thanked her also.

2. Pauline Buford - Legal Issues in Code Enforcement Class/Test Passed 11/17/23.

Watts acknowledged her on this accomplishment.

3. Pauline Buford - Class C Wastewater Treatment Operator License Passed 8/4/23.

Watts acknowledged her on this accomplishment.

7. **PRESENTATIONS / REPORTS TO TOWN COUNCIL**

1. **Charles Overturf, Supervisor of Elections** – spoke about the upcoming March 19, 2024 election. Was here this afternoon for 3 hours to help candidates qualify for the Town's upcoming election. He will be here from 10 AM – 12 Noon on January 31st also. Please don't wait until the last minute. People are welcome to come to his office in Palatka also. The voting precinct is at The Church in Welaka from 7 AM to 7 PM. You will be allowed to early vote because it's county wide. March 4th from 8:30 AM to 5:30 PM in Crescent City, Palatka or in Gainesville. There's 13 straight days of early voting offered. Vote By Mail – there's 54 requests currently. It has to be in their office by 7 PM on March 19, 2024. The box will be inside the locations, Crescent City, Gainesville

or Palatka for early voting days only from 8:30 AM to 5:30 PM. People can surrender their ballot and vote in person also, if they wish. He mentioned that he has 1 overseas ballot also. 3/7/24, up until 5 PM, anyone can request a Vote By Mail ballot. There are 623 voting citizens registered currently and 120 non-registered voters in Welaka.

The results, because it is a PPP, he will not be here, he will be running the election county-wide. You have the right to go to The Church after 7 PM and his workers will run the totals and they will tape the results on the door for the public to see. It does not include the Vote By Mail votes though. The Canvassing Board will look at these results also. If it's a close race, then these votes count very much.

The official results are ready by April 1, 2024, as they must wait for the overseas vote to get here.

Hopes it will be a good turn-out.

Watts – people will have to monitor the website for the results, or they can go to The Church and watch the final count.

Overturf – sorry to hear about the Charter not being on the March ballot as they've been working on it for a long time. It can go on the November ballot, and he needs to know by September 3, 2024. It's 7 months from now.

Looks like 1 amendment and it may force people to vote no. He recommends making more amendments so that people can understand it better.

Kennedy – depends on how the Charter is written. This Charter had to be voted as one. They can vote on dates if changed.

Overturf – please be mindful of the upcoming September 3, 2024 date to let him know if it passes with Council to be on the ballot.

Dugger – since Welaka is the only place that has a March election, what are the pros and cons as she doesn't know enough about it. It's more work and more money.

Overturf – it lets you be the center of the county and a lot of the other places believe that it's better for us because no one else is on the ballot. He does not charge us to do this but someone in the future might charge.

The turn-out may be bigger or smaller based on the larger voting groups in the entire country. Some people lose enthusiasm to vote and it's scary. Jacksonville does their sin the Spring and Interlachen moved theirs to November and they have a better turn-out of voters.

2. Citizens Advisory Committee Update – Scott Turnbull spoke – change the speed of the digital sign.

Town Clerk – slowed it down from 3 second slides to 6 second slides this afternoon.

Committee/Boards give an update in the newsletter.

Watts – the committee/board must submit by a EOM deadline.

Turnbull – suggests a meeting the week before the Council Meeting with the Council to be ready for the actual Council Meeting.

Watts – it's basically a workshop.

Kennedy – it's a workshop or a meeting. You need to meet more than a week ahead of time if there's some items of issue.

Turnbull – just a suggestion.

Dugger – supports this idea. Realizes they only meet 1 time per month and twice a month would be much better for out citizens and residents to move projects forward.

Turnbull – it makes the Council Meetings move forward faster.

3. Events Committee Update – Courtney Desouza spoke – Valentine cupcakes, coffee and hot chocolate will be available before the next Council Meeting on February 13, 2024 in the pavilion.

Food Truck Friday will be starting in March through August, 2024 at 5:30 PM.

4. Tree Board - Arbor Day Celebration: Jan. 27, 2024, 10 AM - 12 PM, Downtown Park, Welaka.

Kenny Pagano spoke – the PROC says the 19th but they moved it to the 27th of January, 2024. They recommend

the old ORD 94-6 is repealed. They want to move forward with the newer Tree ORD 2015-1.

Watts – the 2015-1 ORD should repeal the prior 94-6 ORD.

Kennedy – is looking now and thinks it says that.

Watts – hoe do you like the current Tree ORD now?

Pagano – language, typos, lots of edits. Found something that the Tree Board cannot do. When someone comes in for a Tree Permit, the Board review for drainage, topography, etc. and they'll have it done in 5 days. Doesn't think this could be accomplished that quickly, to do an environmental impact study. This section will be edited.

Pagano – they are utilizing the county forester for assistance in moving forward with the ORD edits.

No Tree Permits have been requested so far. Any permit requests that come in with a site plan and require a site visit, this inquiry must go to the Tree Board.

Janis Brown – honored to be on the Tree Board. USA Tree City – other than getting a sign to designate the Town, they raise awareness, get publicity, educating citizens and preserving trees. Arbor day is this Saturday. She borrowed signs from Crescent City. Trying to make additional signs for the location. It'll be short and simple. She wants a good turnout. Must maintain to keep the Tree City USA, must keep a Tree Board and a tree care ORD with an annual budget of \$2 per capita and would like to increase that and to celebrate Arbor Day.

Brown – mentioned all of the 5 members of the Tree Board.

Downtown Park, 10 AM – 2 Noon this Saturday, January 27, 2024. Johns Stuart has a tree to plant that's used in the Carolina's as a large Christmas Tree.

8. PROCLAMATIONS

1. PROCLAMATION 2024-01 – Black History Month

Washington read the entire PROC 2024-01 aloud.

Finch Made a motion to accept PROC 2024-01 and Dugger seconded. Passed 5/0.

9. RESOLUTIONS

1. RESOLUTION 2024-01 - Renaming the 'Field of Dreams Park' to 'Veterans Memorial Park'

Watts read the entire RES 2024-01 aloud.

Finch Made a motion to accept RES 2024-01 and Long seconded. Passed 5/0.

10. PUBLIC HEARINGS

Watts – a forced main failure happened on Palmetto. When he and Pauline went there to assess the overflow of sewage form the manhole onto the road, the 6" forced main became blocked or collapsed 8' under the ground and years ago, the 6" main was reduced to a 2" pipe. The other pipes are so thin, it will fail soon, and the pump will not pump it and it will become a cascading effect with the daisy-chained lift stations.

He's mentioning this because he's called 5 utility contractor, some turned him down, some he's waiting on return calls, and the bad news is that the repairs for this will cost around \$50,000. Well points will have to be drilled to safely dig down 8' to fix these pipes. They traced the lines 50' that need to be replaced. Supposed to have a bypass on this lift station also. It has a valve, but it's frozen up and needs to be bypassed. Nothing is cheap when it comes to utilities anymore.

They did some smoke testing in the Town in those areas also. They found about 15-16 leaks in the system from valves, caps and cracks in the pipes. FRW was kind enough to loan us the machine for free and we put the oil in it.

Watts – not sure where' we're going to find the money for this repair. The lowest bid we can get right now is about \$50,000. This is an example of the bomb in the ground that we have many of. Will bring pictures and prices to the Council in February and/or March for review.

Washington – how does this effect the residents.

Watts – as it backs up, we would have to kill the water, so the sewer does not back up into homes in the area.

Toilets/showers/water usage make the sewage back up quicker. We self-reported this sewage spill to DEP

immediately. If not, fines may be assessed.

Washington – so people cannot use the restroom?

Watts – correct. We'd have to kill the entire water system to stop the flow and/or back-up of sewage.

Plans to take the iron out and replace with steel pipes. If we get the lift stations fixed/rehabbed with grants in the future, we will keep using these parts/pipes to save money.

1. ORDINANCE 2023-09 – Utilities (SECOND READING)

Watts – read the ORD header aloud.

Finch made a motion to accept ORD 2023-09 and Dugger seconded this ORD on Second Reading. Passed 5/0.

Watts – we have a reserve incase we have a catastrophic event that we need emergency funds for. The DEP practices Asset Management so that we can fix things when we need to.

Dugger – who is the contractors that we're getting the bids from?

Watts – not sure who they are right off the top of his head. Some are from Crescent City, Pierson, etc.

Michelle Bomba – the problem connected to the WWTSsystem?

Watts – yes.

Bomba – why can't we use this new grant money?

Watts – we can only use the funds to build the new Wastewater Treatment Plant. Trying to get 11th Avenue paved for the chemical trucks and such and that may not even be available with the grant funds.

Bomba – seems like the current problem is a leg from the WWTSsystem and we need the legs to walk.

Watts – 5 manholes a year, constant improvements, etc. should be done annually to keep the system working properly year after year. This has not been done here, as with other cities/towns, but we plan to move forward with maintaining our system.

Pam Olson – used to work with a utility company She met with Gordon Smith and talked about our system to them. That's what they do. They're a utility company and they did the plan for Seminole county. She met with the president of the company. They will help us with a lot of different things and will work within our budget. She met with them about a year ago. They are willing to help us here.

Watts – the DEP paid to have someone come here about 2 years ago. He doubts that this company will come out and go throught his system. FRW has helped a lot for months and months. He met with the company right at the very beginning and it went nowhere.

Olson – Gordon Smith offered to help with us with design, builds, have grant knowledge, etc. You must get sealed bids for this.

Watts – that's what we're trying to do. Quite a few contractors don't want to come this far out or do this job for a smaller fee.

Olson – Sanford area has plenty of contractors and they travel to various places. They might be able to help us tremendously. These big contractors like to help for publicity and it's not all about the money.

Kennedy – there's a bill in the legislature to do away with surcharges. This could impact the bottom line with our projections.

Watts – out of Town residents here are currently being charges a surcharge of up to 25% extra. There's a bill in the legislature that does away with this surcharge.

Audience – are you all going to talk about the water rates?

Watts – yes.

Audience – do we have a kitty for money set aside to fix things around here?

Watts – no, we have reserves.

Audience – the sign out front was a waste of money, like \$20,000. You need to start tightening your belt and save/spend wisely. You should let the county take over the Town.

Watts – it will not get any better then.

Audience – did Crescent City do that?

Watts – no, they have their own system there and they pay around \$100 per month for water/sewer monthly

there.

Audience – lets pay for what we use. Can't do that?

Watts – no, we

PASSED – all agreed. Roll Called by Town Clerk – all 5 Members said yes.

2. ORDINANCE 2023-10 - Rezoning C1 to C2 - 413 Elm Street (SECOND READING)

Watts – read header aloud.

Dugger made a motion to accept ORD 2023-10 and Finch seconded on Second Reading.

Town Clerk called the Roll Call. All Members Agreed and said yes. Passed 5/0.

3. ORDINANCE 2023-11 - Rezoning C1 to C2 - 580 3rd Avenue (SECOND READING)

Watts – read header aloud.

Finch made a motion to accept ORD 2023-11 and Long seconded on Second Reading. Passed 5/0.

Dugger – just storage buildings?

Kennedy – they'll be allowed to whatever C2 allows. It already has multiple businesses there.

Finch – same applies to the previous ORD that just passed?

Kennedy – correct.

Finch – mentioned last month that Kennedy allows a Conditional Use permit to allow beer/wine, that would be within the scope of the C2 and is acceptable.

Chad Hutchinson – we're surrounded by C2 and this is consistent with what the Zoning Board allowed.

AJ Flateau – what Finch stated, it open up a can of worms with what they can do. Moving forward, is the Zoning Board going to address these same issues in the future? Will the Rezoning steps need to be down with all C1 businesses in the future?

Kennedy – needs to review this with the Council to make a long list of allowable or non-allowable commercial businesses

11. CORRESPONDENCES

1. Dugger to Council – Town Charter correspondence to the Council.

2. Chris Kelly – parking at the Outback Smoke Shack restaurant is too small.

Watts – the sheriff's assoc. has a luncheon and water training here in Welaka maybe 2 times per year and they had lunch there that day.

AJ – wonderful that they came and there to eat. Did not block the road.

12. PUBLIC COMMENTS – Scott Turnbull – have the Town partner with the Friends of Welaka for the Town Clean-Up events. Would like it in the newsletter and on the digital sign.

Town Clerk - agreed to advertise it, no problem. She recently designed an image for the Town Clean-Up and broadcasted it on the digital sign for the past few weeks. She will gladly help in moving forward.

Turnbull – would like to fix the pavilion flooding issue.

13. CONSENT AGENDA ITEMS – None.

14. NON-CONSENT AGENDA ITEMS

1. TOWN MATTERS

1. Issues with Utility Collection System – Watts spoke about this earlier in the meeting.

2. Charter Review Committee Resignations

a. David Jeltis

b. Janis Brown

c. Richard Pelehach

Watts mentioned the three resignations and thanked them for their hard work and dedication volunteering their time for the past 2 years working on editing the new Charter.

3. New Charter Review Committee Application review & appointment
 - a. Robert Turnbull
 - b. Micshell Tuner
 - c. William (Larry) Pritchett, Jr.

Finch made a motion to approve the three Charter Review Board applications and Washington seconded. Passed 5/0.

4. Public Workshop - Finding of Necessity Study Area (CRA), Jan. 17, 2024, 5:30 PM, Town Hall

5. Vulnerability Assessment Update & Meeting Date: Feb. 6, 2024, 6:00 - 7:30 PM, Division of Forestry

Watts – we received a \$117,000 grant from FL and the state is trying to get all the area grants combined to do their vulnerability study for flooding issues. Please come out to the Meeting and mark your data point on the map so that we can put projects together to fix these problems. Bring pictures also, if you can.

6. Update on Various Grants and Applications – meeting in February with Mittauer. They’ll be bringing back the 90% drawings for review. If we purchase the supplies/components through the vendor, the price is increased, and we pay sales tax. If we buy directly, then we can save a lot of the price and on sales tax since we are exempt. Hurricane Ian – we applied for a \$5 Million grant to help fix the system to be sealed in the harbor that was not sealed. The are offering \$150 Million to FL but the southern part of the state was affected worse than we were. Watts – reached out to Fred Fox & Assoc. also to see where they’re at for the grant work they’re doing. FRDAP grants are still in the works.

Audience – road grants status?

Watts – DOT denied it. Nobody came here to speak with us, and they drove through here without us knowing. We’re trying to get the 2nd Avenue grant strengthening. He’s meeting this week with people in Tallahassee to pave the Jim King Trail for over 1 million dollars. Includes the road base, drainage, engineering, etc. We requested an appropriation from the state. We’d like to repair this to honor the past senator from the state.

2. **ZONING RECOMMENDATIONS** – None. Putting a list together to let the Council know what they’ve been working on. Will have it ready for the next meeting.

3. **CODE ENFORCEMENT BOARD** – None.

15. **DEPARTMENT REPORTS**

1. **PUBLIC WORKS DEPARTMENT REPORT** – None.

2. **UTILITY DEPARTMENT REPORT** – None.

3. **POLICE CHIEF MICHAEL PORATH REPORTS** – None.

4. **TOWN ATTORNEY PATRICK KENNEDY REPORTS** – Presented the DRAFT No Wake Zone ORD 2024-01 to the Council for their review.

Audience – who will control that?

Kennedy – Fish & Wildlife & Sheriff, if they’re willing to.

Finch – it’s just around the public boat ramps and the docks to minimize the waves.

Watts – we paid around \$16,000 to our floating dock in repairs recently.

Kennedy – will be presenting the Article 2 of the Land Development Code.

Watts – we can so a Special Called Meeting where decisions can be made.

Kennedy – some Special meetings need to be scheduled because we’re making some changes in ORDs.

Kennedy – dealing with the supplements Use and Changes – we need to put regulations in place to handle these, such as a Medical Marijuana clinic, Mobile Food Vendors, Beer/Wine in restaurants, etc. These can be actual ORD updates and regulations.

Kennedy – received the payment for the Release for Lien for 633 Elm Street in Welaka. Also, another \$2,000 for the other Town Lien property will be received soon.

5. TOWN CLERK MEGHAN ALLMON REPORTS – None.

15. MAYOR & TOWN COUNCIL REPORTS

1. MAYOR WATTS – this past Friday, he went to look at mowers and a dump truck with the Public Works Dept. They went to Crystal, John Deere & R&J. Putnam County just about 3 mowers at R&J. We’re getting some quotes together for the Council for their review.

2. COUNCIL PRESIDENT JESSICA FINCH – Since her seat is up for re-election, she didn’t want to mention this, but the Friends of Welaka group/contact is not here tonight. The Candidate Forum will be at Shrimp R Us at 6 PM on Feb. 7th and John Maluda will be asking the questions again. The FOW wanted to have the Forum prior to the Vote By Mail ballots from the election, this is why they scheduled the date. Finch described her appointment that she had with an app company. They have an available for \$1,920 per year that the Town can add important items to and send push notifications out to the subscribers who join the app. Town Clerk will email the video to the Council.

3. COUNCILWOMAN TONYA LONG – the budget has different line items and at the end of the year, we need to make sure that it always comes back that if something is moving and we decided to use it for something different, not sure if we’ve ever addressed this. Such as the dump truck expense, we can possibly use the better place funds rather than using the general funds.
Watts – agreed to bring any issues to the Council.

4. COUNCILWOMAN KATHY WASHINGTON – any interest in the Aza Health facility?
Watts- no one has submitted an interest via the RPF but we will re-post the RPF here soon to see if we can get someone interested.

5. COUNCILWOMAN KIMBERLY DUGGER – new software program status.
Town Clerk – we’ve been having 2 or more meetings per month with BS&A. Just had our IT Dept. meeting last week. Training and implementation will be in person, they’ll be here in March for hands-on training, and we go live on June 13th.
Dugger – the emergency fund for the recent issue, how will we afford this from the utility department funds?
Watts – we will work on this in the budget.

16. ADJOURNED – 8:00 PM

1 ORDINANCE 2024-01

2 WELAKA NO WAKE ZONE

3 WHEREAS, the prudent and safe operation of boats, Vessels and watercraft is essential to
4 the public health, safety and welfare of the citizens of the Town of Welaka and the general public
5 making use of the public boat ramp and floating dock facilities located with the Town of Welaka;
6 and

7 WHEREAS, the Town of Welaka is empowered to establish boating restricted areas under
8 Section 327.46(1)(b)1.a, Florida Statutes, to regulate the speed and wake of Vessels within five
9 hundred feet (500 ft.) of any boat ramp, hoist, marine railway, or other launching or landing
10 facility available for use by the general public on waterways exceeding three hundred feet (300
11 ft.) in width; and

12 WHEREAS, the St Johns River is a waterway that exceeds three hundred feet {300 ft.) in
13 width in the area where it abuts the landward boundary of the Town of Welaka (See attached
14 Exhibit A); and

15 WHEREAS, a public boat ramp to access the St Johns River lies within the Town
16 boundaries at the end of Elm Street (aka the Welaka Boat Ramp); and

17 WHEREAS, a floating dock installed and maintained by the Town of Welaka at the end
18 of Palmetto Street to provide a landing facility for use by the general public traveling on the St
19 Johns River (aka Bryant’s Wharf).

20 WHEREAS, the Town Council for the Town of Welaka has determined that an Idle
21 Speed, No Wake Zone is necessary around the Welaka Boat Ramp and Bryant’s Wharf to avoid
22 safety hazards to persons and damage to property resulting from Vessels traveling at excessive
23 speed;

24 NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE TOWN COUNCIL
25 FOR THE TOWN OF WELAKA, FLORIDA AS FOLLOWS:

26 **Section 1.** SHORT TITLE. This Ordinance shall be referred to as “Welaka’s No-
27 Wake Zone Ordinance.”

28 **Section 2.** PURPOSE. The purpose of this section is to regulate the speed and
29 operation of Vessel traffic on certain areas of the St Johns\'s River abutting the landward
30 boundary of the Town of Welaka around the Welaka Boat Ramp and Bryant’s Wharf.

31 **Section 3.** DEFINED. As used herein “Idle Speed No Wake Zone” (a.k.a. the No
32 Wake Zone”) indicates a boating restricted area which has been established to protect the safety
33 of the public wherein a Vessel cannot proceed at a speed greater than that speed which is
34 necessary to maintain steerageway. (See 68D-24.002(2), Florida Administrative Code.) All other
35 terms or terminology used herein are defined as provided in section 327.02, Florida Statutes, and
36 section 68D-24.002, Florida Administrative Code.

37 **Section 4.** WELAKA BOAT RAMP AND BRYANT’S WHARF NO WAKE ZONE.
38 That portion of the St. John’s River extending 500 feet of the Welaka Boat Ramp and Bryant’s
39 Wharf in all directions, as shown in attached Exhibit B, is hereby designated as an Idle Speed,
40 No Wake Zone.

41 **Section 5.** PROHIBITION. It shall be unlawful for any Person in physical control of
42 a Vessel in the Idle Speed, No Wake Zone to operate the Vessel in violation of the Idle Speed, No
43 Wake Zone as defined herein.

44 **Section 6.** EXEMPTIONS. The restrictions created by this Ordinance shall not apply
45 to Vessels of any federal, state, county or municipal agency while operated by an officer,
46 employee, or agent thereof who is engaged in law enforcement or other necessary municipal or
47 governmental activity. Further, the restrictions created by this Ordinance shall not apply to
48 Vessels operated under emergency conditions during a legitimate emergency.

49 **Section 7.** SIGNS. Signs shall be installed and maintained to alert boaters to the
50 existence and boundaries of the Idle Speed, No Wake Zone. All signs shall comply with the
51 standards and regulations provided by state law. No Person shall be charged with a violation of
52 this Ordinance prior to the posting of the signs as required by this Section.

53 **Section 8.** ENFORCEMENT. This Ordinance shall be enforced by the Town of
54 Welaka Police Department, the Sheriff of Putnam County and his deputies, the Florida Fish and
55 Wildlife Conservation Commission and its officers, and any other authorized law enforcement
56 officer as provided by section 327.70 of the Florida Statutes, pursuant to the procedures and
57 citation forms provided for in sections 327.73, 327.731 and 327.74, Florida Statutes.

58 **Section 9.** PENALTIES. Violations of this Ordinance shall be considered a
59 noncriminal violation, and any person who shall violate any provision of this Ordinance, or any
60 of the restrictions, limitation or mandates herein set forth, shall upon conviction thereof in a
61 court of law, be punished by a fine that shall not be less than \$150.00 nor more than \$500, plus
62 court costs as provided in section 775.083, Florida Statutes, and such other penalties as may be
63 allowed under Chapter 327, Florida Statutes. Nothing herein shall prohibit the Town of Welaka
64 from enforcing this Ordinance by any other lawful means or from seeking damages to any
65 facilities maintained by the Town of Welaka that result from a violation of this Ordinance.

66 **Section 10.** SEVERABILITY. The provisions of this Ordinance are declared to be
67 severable and if any section, sentence, clause or phrase of this Ordinance is held to be invalid or
68 unconstitutional, such decisions shall not affect the validity of the remaining sections, sentences,
69 clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative
70 intent that this Ordinance shall stand notwithstanding the invalidity of any part.

71 **Section 11.** EFFECTIVE DATE. This Ordinance shall be effective 30 days from the
72 date of adoption.

73 Passed by the Town Council for the Town of Welaka on First Reading on the ___ day of
74 February 2024

75 Passed by the Town Council for the Town of Welaka on Second Reading on the ___ day of
76 March 2024

77 ATTEST

SIGNED

78
79 _____
80 Meghan E. Allmon, Town Clerk

Jamie Watts, Mayor

81
82 Approved as to form:
83
84 _____
85 Patrick Kennedy, Town Attorney

Jessica Finch, Council President

86

EXHIBIT A

87

Welaka No Wake Zone Ordinance



88

89

90

Width of Waterbody in Area of Now Wake Zone

91
92
93

EXHIBIT B
Welaka No Wake Zone Ordinance



94
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96
97

Idle Speed No-Wake Zone Boundaries

Memo To Council

February 7, 2024

Water Billing Issue

After the Town Council approved the new utility ordinance, the Utility Clerk contacted Logics, who is the vendor of our billing software. The Utility Clerk spent countless hours and days updating the tiers in our billing system to change our rate structure, including the proration of water and sewer once the customer goes beyond 2,000 gallons. If you recall, once the customer exceeds 2,000 gallons of usage, they will be billed per gallon. After the bills were sent out, it was discovered that the system showed the usage but did not prorate the overage. Instead of billing per gallon over 2,000 gallons, it billed at the total 1000-gallon rate. This means if you used 2,001 gallons, the system charged you for 3,000 gallons. We contacted Logics, who informed us that the system cannot prorate despite telling us it originally could. Logics has extremely poor customer service. When we contact the company, they take as long as five days to provide a response and/or assistance. When we investigated the billing batch, we determined that 399 customers did not exceed 2,000 gallons, so they received a new minimum water bill of \$55.45 for in-town customers or \$69.31 for out-of-town customers.

To correct this issue, the Utility Clerk is in the process of manually entering account credits for the 325 customers that were affected by the proration. Unfortunately, this could take a month to fix. Our new BS&A utility billing software will prorate, but that software will not be available until June this year. Because the current system will not prorate, the Utility Clerk will manually round down the usage for each customer to the previous thousand. So, if a customer used 2,001 gallons, they will be rounded down to 2,000 gallons. This will eliminate the proration and is the most fair way for our customers.

Keep in mind the rate was increased so that the Utility Department could establish a Utility Asset Management Fund to make the \$1.8 million dollars of repairs to our system. This does not include the recent critical issue we discovered with the system. Utility contractors are quoting us over \$50,000 to make the repair so far. I realize that residents are upset over the increase; however, when the system fails because we don't take action to fix it, they will be even more upset when they have no water and sewer. We apologize there was an issue with the billing system that will not prorate despite the software company telling us it did. The billing error is being corrected, and utility customers will be notified of the credit. Remember, this has to be done manually, so it will take at least a month to apply the credits. I will place this on the Town Council Meeting next Tuesday night to review the proration issue.

Best Regards,

Mayor Watts

PBM Constructors, Inc.

PO Box 11089 Jacksonville, FL. 32239-1089

CG C037694

To: Randy Harris

Company: City of Welaka

Phone:

Fax:

From: Ben Moore

Phone: 904-714-6353

Fax: 904-714-6354

Date: 2/1/24

Quote : Lift Station # 5 - Welaka

Labor and materials to complete the following :

1. Extend 6 inch force main 25 feet and connect to existing discharge manhole
2. Replace lift station suction and discharge piping with stainless steel piping
3. Replace plug valves and check valves on pumps.

Price not to exceed : \$54,000.00

Walt Seiler
P.O. Box 5068
Salt Springs, FL 32134
seilertoolstore@live.com
352-258-6864

1/29/2024

Town of Welaka Lift Station Re-piping/Force Main Repair into Existing Manhole

- Core drill manhole and install boot
- Furnish all material

Includes re-piping, wet well, manhole, vac truck (all day), de-watering (where needed), equipment and labor

\$59,000.00

Thanks for the opportunity to quote.

If further information is needed, please feel free to contact us.

Respectfully,

Walt Seiler
352-258-6862
352-258-6864
352-685-2884

FINDING OF NECESSITY PRELIMINARY BOUNDARY MAP

