

CITY OF MACCLENNY
Regular Meeting
September 9, 2014
6:00 p.m.

The City Commission met in a regular session, Tuesday, September 9, 2014 with the following present: Mayor Gary Dopson, City Manager Phil Rhoden, Commissioners Floyd V. Bennett, Mark Bryant, Sam Kitching, and Cecil Horne Jr. Stacy Mills, Council Secretary was absent. Minutes prepared by Melissa Thompson.

Mayor Dopson called the meeting to order. The prayer and flag ceremony were conducted in the previous TRIM Public Hearing.

In old business Frank Maloney presented the **Final reading of Ordinance 14-08**: an ordinance amending the 2025 Future Land Use Map which shall change the future land use designation for approximately 2.04 acres from low density residential (LDR) to commercial medium intensity (CMI) related to a small scale development activity; rezoning the property from residential, single family (RS-2) to commercial general (CG). Mayor Dopson said the first reading took place in last month's regular meeting. There were no questions or comments from the Board or audience. Commissioner Kitching made a motion to approve the Final Reading of Ordinance 14-08 and was seconded by Commissioner Bennett. Voting was unanimous. Motion carried

In new business City Manager Rhoden explained due to some inconsistencies on the respondents part in the bids received for the construction financing for the Fire Station, the next two items including Resolution 14-11 would be tabled until the September 23, 2014 meeting.

Manager Rhoden presented the Council with the bid tabulations along with a letter from the architect Billy Brame and engineer Frank Darabi outlining the details of the bid results for the fire station project, as well as a recommendation to award the contract to the low bidder Nooney Construction, Inc. Manager Rhoden explained the original construction cost was originally budgeted at a little over 1.2 million, then after costing the project out the architect estimated the cost of construction to be closer to 1.8 million. We received bids from ten companies; one bidder did not include the required documents. The bids range from a high of a little over 2.1 million to the low of 1.328 million from Nooney Construction. The majority of the bids were in the 1.4 to 1.5 range which the architect and engineer felt was an indicator of a very competitive process. Manager Rhoden said after receiving the cost estimate of 1.8 million, Chief Dugger pulled out three items to try and cut costs. The first and most important alternate is a generator the ranges of which were from \$172,000 to \$107,000 with the low bid once again being Nooney. We feel it is imperative we have a generator; Chief said he would work without it but Manager Rhoden said he feels the generator and the other two alternates should be included. He said the other two alternates are for an upgrade to the vinyl tile and overhead cooling grills. Manager Rhoden said the upgrade in the tile will cost \$17,000 this tile will last longer and be easier to keep clean. The overhead grilles are needed to segregate items for the different shifts and will cost \$10,000. Manager Rhoden said the total construction cost with all three alternates is \$1,462,146.28. He said we are recommending that we increase the construction budget from \$1,206,400 to this new amount, which will also increase the contingency a small amount. This increased cost explains the changes in the budget. He stated city staff as well as the architect and engineer feel these are very tight numbers. Mayor Dopson said the bids came in quite a bit lower than he thought they would. Mayor Dopson said he and the City Manager had a long discussion about change orders and making sure this doesn't go from a 1.4 to a 1.9 million dollar project due to change orders. Manager Rhoden said when we have the preconstruction meeting we will let them know our building official Claude Bagwell will be in the building twice a week when he is here so we can stay on top of the construction and there will be a clear understanding going in with regard to change orders. Manager Rhoden said after reviewing all the bids and checking the references, the architect and engineer have recommended the City award the contract for construction of the fire station to Nooney Construction, Inc. Manager Rhoden explained the next step for the City is to concur with the recommendation and send the three low bids and other documents to Rural Development for approval prior to award. Commissioner Kitching made a motion and was seconded by Commissioner Bennett to concur with the architect and engineer's

recommendation and forward to Rural Development for approval. There were no comments or questions. Voting was unanimous. Motion carried.

Assistant City Manager Roger Yarborough presented the Council with a building department report detailing the different types of permits pulled in the City during the time periods of January through August of years 2013 and 2014.

Mayor Dopson said he is probably a little late and should have done this earlier, but he would like for city staff together with whatever consultants staff deem necessary to look at and give some thought to ideas of ways we might be able to give a new business a break for a year or two to make it easier for startups. He said he is especially interested in the core downtown area with all the empty buildings. This is to include the business permit. There would be a lot of things to consider depending on the size of the business, number of jobs etc. He asked if we want to look at and consider a tax break. We need to do all we can to make it easier for businesses to start here. He said we have done that to a certain extent, but we need to see if there is more we can do. We want to be able to afford what we do and still be able to balance our budget. Mayor Dopson said personally doing away with impact fees is not a consideration for him, although there are a couple of the impact fees we may want to temporarily consider putting a moratorium on. He said he doesn't want to get into a situation where we are changing impact fees and he is not even saying this is one of the things to look at. Let's look at what we can do to make it easier for businesses to get started here and want to come here.

Manager Rhoden says he feels the same way and asked if Mayor Dopson's goal is to help small businesses. Manager Rhoden said if a large corporation says they are coming the State steps in and they get all these amenities, but small businesses are the ones that maybe we can afford to sacrifice to help the small businesses get started. Manager Rhoden said we will try to develop criteria, with a threshold set by jobs or whatever and maybe consider the downtown revitalization area as a prime location. Manager Rhoden said maybe Daryl Register with the Chamber of Commerce could be included to see what they are hearing within the business community as far as what they desire and need to locate here. Manager Rhoden said we will develop something and come back next month and present it.

Roger Yarborough said our City Planner Tony Robbins will be here tomorrow and we will discuss this with him as well.

Daryl Register spoke on the topic as well and is very interested in helping with this process. He said he had lunch last Thursday with someone and they were talking about a community development areas. He wanted to set up a meeting with Phil to discuss it and introduce this man to Phil. Daryl said he will set up something with Manager Rhoden after the budget process.

Commissioner Bennett said anything we can do to get more jobs here we should definitely consider just as long as we do not forget those who are already here paying for all the bills here and not do anything to impact them.

Gerry Dedenbach, Vice President of Causseaux, Hewett, and Walpole, Inc. was present with the Dollar General project and he mentioned some opportunities presented recently by the Department of Economic Opportunity (DEO) which might be of assistance. He also stated that with Dollar General being a National chain and locating several stores here it will cause other national companies to begin looking at Macclenny as well. He said there are a couple of players he plans to contact after tonight's meeting to look at this area because it is a major stopping point off the I-10 Highway.

In other business was approval of the Minutes from the First Budget Workshop held August 7th and the Regular City Council Meeting held August 12th. Mayor Dopson pointed out the following changes:

Budget Workshop Minutes:

Paragraph 10 which refer to elected and non-elected class retirement associated to the Commissioner's budget. Mayor Dopson said it should read that some of the Commissioners are paid regular class retirement and some are elected class. The wording as it is makes it appear all are paid as regular class which is incorrect.

Paragraph 15 which refers to the Law Enforcement Budget: Mayor Dopson said the wording needs to be changed to add the word "city" when referencing ad valorem taxes. He also wants one line removed and the following wording inserted: "It seems foolish to pay out to the Sheriff more than we are bringing in in city millage." He also wants the following added to the end of the next to last sentence in paragraph 15 "in order to be able to fund infrastructure needs."

Regular Meeting August 12th:

Fifth paragraph: change the wording "will the zoning automatically revert back to its original?" to be changed to "could we have the zoning automatically revert back to its original zoning"

Next to last paragraph:

Insert the word "political" before sign ordinance in the next to last sentence.

Fidel Lido asked about the portion of the minutes where the Sheriff was requesting \$788,442 dollars, he asked for clarification as to if Mayor Dopson stated this amount was \$40,000 more than the City would bring in with ad valorem taxes. Mayor Dopson said his request was \$70,000 more than last year and that along with the \$30,000 from impact fees, the total would have been \$40,000 over what we take in with city tax millage.

Mr. Lido asked what we budgeted to pay the Sheriff. Mayor Dopson said we budgeted to pay him the same as last year which is \$686,725. Mayor Dopson said City Manager Rhoden has been working with C J Thompson and the Chairman of the County Commissioners on this issue. The City's infrastructure needs are kind of critical right now, especially in the downtown area. Most of the pipes for water and sewer in this area are at least fifty years old; they are crumbling and have holes in them so every time we get a heavy rain we get infiltration into our sewer treatment plant which costs us extra money to treat. Mayor Dopson said it is going to take roughly 12 million dollars to fix just the sewer portion of the lines. He said I have said this before but if you live in the city you pay city taxes and we pretty much operate on those funds along with the other areas of revenue we receive, but you also pay county taxes at the same rate as someone who lives in the county. Mayor Dopson said I would ask you, not in a bad way, what you receive for those county taxes. The city money we pay to the Sheriff's department from the very beginning was for extra police protection in the city limits. We are at a point in which the infrastructure is so critical; we literally can no longer afford to pay for the extra police protection. However, you are still covered for police protection through the county taxes you pay living in the city.

Mr. Lido said he has heard there was some talk about not paying the Sheriff's department because we are paying county taxes, to suspend payment to the Sheriff so we can take care of infrastructure needs. Mayor Dopson said that is what the City Manager has been having discussions about with the County Manager and Chairman of the Board of County Commissioners. We had some consideration on making some cuts to the amount we pay to the Sheriff's department this year but it was decided, for a good reason, to leave our amount the same this year with the realization they are going to have to take a larger cut next year, but they wanted to do it that way. Mayor Dopson said he can't speak for the other commissioners and he can honestly say this has nothing to do with the job Sheriff Dopson is doing, he does a wonderful job and he is sure he needs every man that he has, but we are to the point that our infrastructure needs are just being left basically unattended and we need that money now worse than he does. We have committed to not raising taxes. The millage rate in the City has remained the same for approximately 25 years. Mayor Dopson said the millage rate was 10 mills when he came on the commission and it has been 3.6000 mills for over 25 years. Mayor Dopson said he can't take all the credit for that but the point is by several things we did, we were able to cut the millage from 10 mills down to the 3.6000 mills it is now. We receive State Revenue Sharing and at one point we were warned if we went too much below that millage rate we would risk losing those funds so we have remained the same. Mr. Lido asked what percentage we are planning on cutting the Sheriff's budget next year. Mayor Dopson said he may not be here next year, and we haven't taken a vote on this. The other four commissioners may think it's a crazy idea and say we can't do it. He said this is just what he and the City Manager are looking at because we really have no choice. Through our county taxes we are paying enough to still get good police protection. Mr. Lido said maybe we suggest to the county if they want us to continue to pay then they will have to kick in some money for our infrastructure. Mayor Dopson said that won't happen they have too many problems of their own. Mayor Dopson said if we do this will the Sheriff be happy? Absolutely not, but this at this point is strictly doing what is best for the City of Macclenny and the very serious needs we have and have had for a few years, but have not addressed them well enough.

Manager Phil Rhoden responded to Mr. Lido's question regarding planned reductions to the Sheriff's budget. Manager Rhoden said at the previous meeting we had projected to take \$125,000 from the Sheriff's budgeted amount of \$686,725 which is the budgeted amount we have paid over the last couple of years. We met with the County Manger and the Chairman of the Board and they expressed the financial stretch they are in like most communities. He said they asked us if there was any way we could get that number down. Manager Rhoden said he told Sheriff Dobson we were striving to get the number down to a manageable number for him this first year. Thanks to City staff and the grace of the good Lord we were able to keep the wheels rolling, tightened our belts to operate within our budget, and we are in a good position in just about every department so we are going to come in a little less. Therefore we did not take the proposed cut of \$125,000 this year, as per the request of the County Manager and Chairman with the understanding that what we didn't take this year would be in addition to cuts planned next year. Manager Rhoden said whether we are funded in the SRF Grant we are seeking or not, we have to start working on the infrastructure in the City. As Mayor Dopson said the 12.7 million is the projection of just the sewer portion and does not include the water or storm water systems. Whether we get funded and have to make a payment or not we need to allocate those funds to start our own repairs, either on the larger scale with grant funding or on a smaller scale. Manager Rhoden said an estimate of the reduction he will be asking the Board to consider is in the neighborhood of \$300 to \$350,000. We have to start moving in this direction and stop putting a band aid on the heart patient per say. Our infrastructure is past the point of repairing, we must start replacing. There have been some statements made that the pipes don't break, well my first experience as City Manager was watching our crew at work in the thunder and lightning repairing a broken sewer line and the clay terracotta pipe was stamped 1938, there was no cement in the joints of these pipes which were laid in the 30's, it had all worn away. The statement was made they don't wear out unless they are broken by vehicles or some outside force, but that is not the case. The biggest majority of our core downtown area pipes were put in during the 1930's or 40's. Manager Rhoden said if you go and look at our streets and notice the dips, these are areas where we have made repairs. We have to start looking at this and making needed replacements. He said this is why he plans to make a recommendation to the Board regarding the Sheriff's budget. Manager Rhoden said when he spoke to Sheriff Dobson at first he had sticker shock but after several conversations the Sheriff understands where we are at and is supportive of what we are doing. He said would the Sheriff like to keep the funding there, without a doubt but as Mayor Dopson said it's not about the quality of the job. The Sheriff's Department has done and continues to do a wonderful job and they will in the future. Manager Rhoden said what we are going to have to do is lay out a plan the Sheriff can function with or the county can manage, since they have to fund the difference. As Mayor Dopson said, we pay county taxes and the Sheriff understands that and he is going to provide the coverage. Manager Rhoden said there have been some questions about if the City isn't paying then maybe they shouldn't staff accordingly. He said speaking as a layperson, he doesn't believe anyone but the Sheriff should allocate where is staff is needed. He is responsible for the men and women who serve our community for their safety and ours in the public. How he addresses that with the county is between him and the county. Manager Rhoden said we pay for two deputies to stay within the city at all times for \$686,725 so if we cut that in half is the county going to pick that up and fund it we don't know. We will need to have a conversation with the Sheriff as we phase this contract down to discuss staffing and how this will work. Manager Rhoden said he will be coming back to the Board to discuss the reductions and specific timelines so we can give some specific numbers on how and when we are going to reduce the budget to the Sheriff and County so they can plan accordingly. He said we want to give them timelines associated with this so they can budget and plan for them. We are not trying to do anything that will cause layoffs or furloughs or anything like that, we want to give them time to manage this either through attrition or additional funding through the county that is on their terms. Manager Rhoden said he doesn't think we will see our protection suffer from this, I think you will see an improvement in the quality of service from the City of Macclenny.

Mayor Dopson asked for a motion to approve the minutes with the corrections. Commissioner Kitching made a motion to approve the minutes as corrected, and was seconded by Commissioner Bennett. Voting was unanimous.

In other business was the review of the bills for August. There were a few questions on the bills which were answered by City Manager Rhoden. Commissioner Bennett made a motion

to approve the August bills and was seconded by Commissioner Kitching. Voting was unanimous.

Mayor Dopson addressed City Manager Rhoden and said we have a thing in place that no department goes over their budget without prior approval. Mayor Dopson said we are getting to that point and asked Manager Rhoden to monitor the budget closely to make sure people are not spending and going over their budget just because they have it left in their budget, if they need the items that is different. We need as much carryover as we can. He said he doesn't think our employees would do that, but he wanted to remind them. Mr. Lido asked if we have the policy like the military does if you don't spend your budget this year, they will cut it next year. Mayor Dopson said no we don't have that policy.

Melissa Thompson reminded the Council of the upcoming Public Hearing on September 23rd at 5:45 p.m. to adopt the Final Millage and Budget and said immediately following that meeting will be a special meeting to finalize the fire station funding resolutions.

Manager Rhoden informed the Council of the City's application for SCOP funding through FDOT. He stated with the help of Robert Fletcher and Roger we were able to compile the information and ask for funding for three options: Jonathan Street, South Blvd. from 121 West and 9th Street so we will see what happens. He expressed his appreciation for Robert Fletcher's assistance and the knowledge he shares working so well with both agencies.

Roger Yarborough said we are in negotiations with Winn Dixie to get some cooperation and funding to allow the City to help with some of the drainage and water flowing from their building and parking lot onto Buck Starling Road. The plan is to route their water to the retention pond in the rear and to get some funds from them to cover the costs.

Manager Rhoden thanked Daryl Register and the Development Commission for helping us acquire the land needed for the well at the Enterprise East location. They held a special meeting and stream lined this process for the city at minimal cost, just surveying and an easement. We are very appreciative of all they have done for us. Manager Rhoden said this will benefit them down the road.

With no further comments from the audience, Mayor Dopson adjourned the regular meeting.


MAYOR GARY DOPSON

ATTEST: 
CITY MANAGER/ CLERK Phil Rhoden

