

CITY OF MACCLENNY
Regular Meeting
October 13, 2015
6:00 p.m.

The City Commission met in a regular session, Tuesday, October 13, 2015 with the following present: Mayor Gary Dopson, City Manager Phil Rhoden, Commissioners Sam Kitching, Cecil Horne Jr., and Danny Norton and Council Secretary Melissa Thompson. Commissioner Mark Bryant was absent.

Mayor Dopson called the meeting to order. Commissioner Kitching opened the meeting with prayer, followed by a pledge to the United States Flag.

Old Business:

There were no items of old business.

New Business:

The first item of new business was the investiture of Danny Norton as City Commissioner. City Attorney Frank Maloney administered the Oath of Office to Mr. Danny Norton and the Mayor and City Councilmen welcomed Mr. Norton. Mayor Dopson said he prays this will be one of many happy moments on the Council for Mr. Norton. The signed Oath of Office is included with the minutes.

City Manager Rhoden asked the following individuals to be present at the meeting to be recognized for their contributions to the downtown beautification project as well as landscaping at the new Fire Station: Sue Quinley, Terry Starling, George Church and Jamie Barton. Mr. Church was unable to attend the meeting. Manager Rhoden said Mrs. Quinley is known throughout the community for her expertise in landscaping. We offered to hire her but she refused and offered to volunteer her time instead. He said she along with City Staff did not want a big fanfare but we wanted to recognize them tonight for their efforts. Manager Rhoden said he was skeptical when the plants were first in the pots, but now they are beautiful and we have this crew to thank for the beauty. Manager Rhoden said he wanted to recognize all of them and thank them for all of the hard work and acknowledge them publically for how beautiful the downtown and fire station look. He said we hope to do a little more work in the future. Mayor Dopson said Sue is known for her ability and plant knowledge and certainly for her volunteering. He recognized Terry Starling as one of the best examples of the wonderful City Employees, who always does what he is asked to do and goes beyond what is expected. Mayor Dopson thanked Jamie and said he is with a good group to learn from and said he wished George was here so he could thank him as well. The group was met with a round of applause for their hard work.

The next item on the agenda was to discuss the letter from Mittauer & Associates, Inc., regarding the recommendation of award on the Turkey Creek Pump Station and Force Main Project. Tim Norman, Vice President of Environmental Services with Mittauer was present to discuss the bids. Mr. Norman said on October 1, 2015, we received 9 bids ranging with the low of \$420,000 to the high of \$732,557. The low bidder did not have the requisite experience and had issues with their bid and have since withdrawn their bid. Mr. Norman recommended award to the second lowest bidder Worth Construction and Development for \$458,368.69. He said he has worked with this company many times and feels confident they will do a good job. Mayor Dopson said he understands bids vary, but with the wide span in numbers he is concerned about change orders. He asked Mr. Norman if he has explained to the bidder that the City of Macclenny does not like change orders. Mr. Norman said they do not like change orders either and will do everything they can to avoid them. Mr. Norman said this will be a difficult project due to the depth of the lift station at Turkey Creek. Mayor Dopson said in the past some contractors would bid low on purpose with the intent to use change orders to drive up the final contract amount and since that time the city has adopted a policy requiring a clear understanding of the validity of change orders before approval. Mr. Norman said he understands and they feel the same way and deal with change orders as Mayor Dopson suggested. Commissioner Norton asked about the Alternate A and if this leaves the possibility for the contract to increase by \$15,000. Mr. Norman said the project was bid with an alternative wet well liner which they anticipated to be a deduction from the contract price. In this case it was an increase to the

contract so we will not be doing the alternate and are awarding the contract at \$458,368.69 without the alternate. Commissioner Kitching made a motion to award the contract to Worth Construction and Development, Inc. in the amount of \$458,368.69 as recommended by our engineers and was seconded by Commissioner Horne. There were no questions or comments. Voting was unanimous. Motion carried.

The final item of new business was a discussion and recommendation from City Manager Rhoden to extend the moratorium on impact fees for a period of twenty-four months and that the impact fees be reviewed annually. Manager Rhoden said after the newspaper article came out, people thought the moratorium was only for a 60 day period. He said he has met with a few contractors and developers and they need a more specific time frame to know how to proceed with their projects. They have explained the process of planning, engineering and permitting with other agencies require some time and sixty days just isn't long enough. The developers cannot go and make the investments without some assurance the moratorium will be in place when the development is ready. Manager Rhoden asked the Board to consider extending the moratorium for a period of two years and require an annual review to see where we are at. This way we could look at the trend and see if growth is trending upward. Manager Rhoden said he is not asking to abolish the impact fees as some would like because we need to have the ability to review them and reinstate them if needed. We can't jeopardize the 3.6000 mills tax rate due to growth. He said we still have the ability to negotiate with development agreements and extend the moratorium or develop an agreement based on what the particular infrastructure needs are, so the moratorium does not tie our hands.

Commissioner Kitching asked Manager Rhoden to expand on the development agreement and how it would work. Manager Rhoden said when Charles Chupp came to the City some time back with a potential development, he needed lines run to his development to serve his project. The City did not have the funds to run the lines all the way to his project so Mr. Chupp was willing at the time to spend the 3 million dollars to run the line. The agreement would then provide a mechanism for him to recover some of his costs as others tied onto the line he ran. Typically it is a 60/40 or 80/20 method of recovery of costs. This can all be handled on an individual basis with each development. Commissioner Kitching said so basically we still have oversight with development.

Mayor Dopson said as a part of the development itself, the developer usually puts in all the needed infrastructure such as paving, water, and sewer and then once the project is complete the City would take it over. Mayor Dopson said the impact fees were in place during the building boom and at the time they did not slow growth. However, although some are saying the economy has recovered, he said he does not believe it has. He said the housing values are still down. Mayor Dopson said the legislature is always changing the rules and methodology for calculating these fees so an extension of the moratorium will allow us more time to research and ensure compliance if and when we reinstate the fees. He said he has no problem with a moratorium for two years to see if it stimulates growth and to help the developers, but he is not ready to totally do away with impact fees. Mayor Dopson discussed capacity and how certain levels of capacity would trigger the need for additions to the water and sewer treatment plants. He said this would cost a lot of money and the City would need impact fees to help with that cost to ensure that our current customers do not bear the full cost of those improvements. Mayor Dopson said even with impact fees the city would still have to apply for grants and loans to fund additional expansions, so our customers would see increases but he feels the developers should contribute to the costs so the full cost does not fall on our existing customers.

Commissioner Kitching said he doesn't have a problem with 24 months but asked if we would have some latitude to reinstate earlier if we saw at month 18 that we needed to add to the sewer system.

Mayor Dopson said we are committing for 24 months to not charge. City Manager Rhoden said he does not think we will see 5,000 homes in that time period, but we will watch the growth trend and if needed be ready to reinstate at the end of the 24 months.

Commissioner Horne said he agrees with the moratorium and he is also not ready to abolish the fees. He said he does not feel the cost should be on the current tax payers.

Commissioner Norton said he paid the impact fees, but he can see population growth is stagnant in the City of Macclenny and hopes this will spur some growth. He said he is committed to protecting the 3.6000 millage rate for the taxpayers who in many cases also paid the impact fees. Commissioner Norton said he talked with a contractor who said with the moratorium in place we will be cheaper than surrounding areas and this should make us more competitive. He said we will even be less than the county since they will have to put in a well and septic at a cost

of around \$10,000. He said this moratorium should bring in some growth and if it doesn't it will not be our fault, we have done what we can.

Stephen Williams said he really appreciates the moratorium being extended to 24 months because this will give him the time needed on his development.

Commissioner Kitching made a motion to extend the moratorium on impact fees for 24 months and provide for a review annually and was seconded by Commissioner Horne. Voting was unanimous.

In other business was the approval of the minutes. The following minutes were submitted for approval:

- § First Budget Workshop: August 18, 2015
- § Regular Meeting: September 8, 2015
- § Public Hearing on Tentative Budget and Millage September 8, 2015
- § Public Hearing on Final Budget and Millage September 22, 2015

Commissioner Kitching made a motion to approve the minutes and was seconded by Commissioner Horne. Voting was unanimous.

In other business was the review of the bills for September. Commissioner Kitching made a motion to approve the bills and was seconded by Commissioner Horne. Voting was unanimous.

Comments from the Board:

Mayor Dopson said he toured the new fire station on Thursday and it is quite impressive. He said this will be a real fine Fire Station for the future. He encouraged everyone to come to the open house. He said he is very pleased with it and the landscaping and plants in front are very beautiful.

Mayor Dopson recognized County Commissioner James Croft and said it was an honor to have him in attendance.

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




MAYOR CARY DOPSON

ATTEST:


CITY MANAGER/ CLERK PHIL RHODEN