

**CITY OF MACCLENNY**  
**Regular Meeting**  
**April 12, 2016**  
**6:00 p.m.**

The City Commission met in a regular session, Tuesday, April 12, 2016 with the following present: City Manager Phil Rhoden, City Attorney Frank Maloney, Commissioners Mark Bryant, Sam Kitching, Cecil Horne Jr., and Danny Norton and Council Secretary Deanna Dinkins. Mayor Gary Dopson was absent due to a death in the family; Commissioner Bryant chaired the meeting in the Mayor's absence.

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

Commissioner Bryant began by reminding everyone that the meeting is recorded and asked that if anyone comes forward to speak that they identify themselves by name and address. He also asked that all electronic devices be silenced for the duration of the meeting.

**Old Business:**

City Manager Rhoden began by discussing the drowning of Jacoby Clayton earlier this week. His grandfather is a former employee and retired from the City. Our dive team responded to the call. Some have wondered why the City responded to a call that occurred in the County, and the answer is, we are a community. When there is a need we're going to respond. Manager Rhoden recognized the firefighters for their roles in this recovery effort.

Manager Rhoden explained how the dive team began. The firefighters took courses on their own and found deals on used equipment. They trained and became certified, and we now have training opportunities with Jacksonville Fire and Rescue Department. While the dive team was responding to this emergency, there were other firefighters covering the fire station. Manager Rhoden stated this was a team effort and he is proud of this department.

Manager Rhoden then announced that USDA Rural Development has approved the pre-application and reserved funding in the amount of \$98,759 to purchase a squad vehicle and dive equipment. The funding is 55% grant, meaning nearly \$100,000 worth of equipment will only cost us about \$44,000.

Commissioner Norton asked if the timing of the approval for the grant funding was a coincidence. Manager Rhoden indicated it was, as the application took place several months ago. He went on to say that we can reapply annually to help with future equipment needs.

Chief Dugger spoke and said in the beginning there were questions raised about whether we really needed a dive team. There are roughly 20 retention ponds in the city and some are 14 to 16 feet deep; Commissioner Kitching added there is a new pond that is probably 40 feet deep. Chief Dugger went on to say that we are 911, and if there is a child in a body of water parents should not have to wait two hours for a team to be dispatched. Our focus is to protect the people of this city and to protect the people of this community. He thanked the City Hall staff for their helpfulness.

**New Business:**

City Attorney Frank Maloney read **Ordinance 16-05** by title only, an ordinance amending Section 3-79 of the Unified Land Development Regulations Required Findings Needed to Issue a Variance; Providing Additional Clarification for Criteria to Grant a Variance; Providing for an Effective Date. Attorney Maloney stated this has not been visited since the State mandated the zoning and land use regulations. Our land use planner met with the Board of Adjustments and City staff and felt these amendments would be helpful. Mr. Maloney stated that he reviewed all of them and thinks it greatly improves the existing ordinance. Assistant City Manager Mike Griffis reiterated what Attorney Maloney stated, and in addition, he stated the application process was streamlined and made easier for the applicant. Commissioner Kitching made a motion and was seconded by Commissioner Norton to approve the first reading of Ordinance 16-05. Voting was unanimous. Motion carried.

City Attorney Frank Maloney read **Ordinance 16-06** by title only, an ordinance amending Section 3-97 of the Unified Land Development Regulations Required Findings Needed to Issue a Special Exception; Repealing Certain Superfluous Criteria to Grant a Special Exception; Providing for an Effective Date. Attorney Maloney stated our land use planner met with the Board of Adjustments and City staff he felt that getting rid of the superfluous elements would be in the best interest of the City. Commissioner Kitching made a motion and was seconded by Commissioner Horne to approve the first reading of Ordinance 16-06. Voting was unanimous. Motion carried.

Assistant Manager Griffis provided a staff report regarding vape shops. There are currently two shops in the City, and our zoning does not refer to vape shops, as this is a new business. Staff is requesting a moratorium be placed on the opening of new vape shops for 90 days in order to research how other cities are regulating them. Commissioner Kitching asked how vape shops differ from the vending or selling of tobacco products and e-cigarettes. Assistant Manager Griffis explained that stores such as Walmart sell prepackaged products, whereas vape shops can mix their own with different flavors and different strengths. Commissioner Kitching asked if staff intends to research the varying strengths of the products. Assistant Manager Griffis stated that is one of the concerns. Staff has reached out to Florida League of Cities to inquire how this is handled in other cities. Pam Jerolds, Tobacco Prevention Specialist from Baker County Health Department, stated the difficulty in trying to compare e-cigarettes or vape mixtures is that they are unregulated. As a result, the nicotine levels vary greatly. She also discussed the increasing number of shops in other counties and the increased usage by youth. There was further discussion and Ms. Jerolds offered to share some information with City staff. Commissioner Kitching made a motion and was seconded by Commissioner Horne to approve the 90 day moratorium on opening new vape shops. Voting was unanimous. Motion carried. Attorney Maloney stated this should be memorialized by a resolution so there is proper documentation.

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

- Regular Meeting: March 8, 2016

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

In other business was the review of the bills for March. Commissioner Horne asked if the radiator repair in the amount of \$3,264.75 was for a fire truck. Chief Dugger stated that it was, and that a new radiator would have cost between \$18,000 and \$23,000. Commissioner Norton asked about the payment for quarterly maintenance at Heritage Park. Manager Rhoden stated this is for the air conditioners for the multiple buildings at the park. Commissioner Horne asked if the expenditures for signs pertained to closing the roads at the baseball fields. Manager Rhoden stated the expenditures were to purchase blank materials for our sign shop. Commissioner Norton asked about the purchase of pine straw. Manager Rhoden stated it was used for the flower beds at the fire station, flower pots along US 90, at Heritage Park, etc. Commissioner Norton noted the postage expense and asked if we could consider e-mailing utility bills. After a brief discussion it was noted that staff is looking into the possibility. Commissioner Kitching made a motion to approve the bills and was seconded by Commissioner Norton. Voting was unanimous.

**Comments from the Board:**

Commissioner Horne asked if reflectors had been put near the hole at Jonathan Street. Manager Rhoden stated that he met with the engineer and has met with Dr. Dopson since that. There is a depression in the road and really no way to patch that. However, we expect to have a bid soon to widen the road, at which time that will be fixed.

Commissioner Norton asked if the gates at the baseball field had been painted as discussed earlier. After brief discussion, Manager Rhoden stated he would verify this tomorrow and get back to Commissioner Norton. Manager Rhoden will also ask the County to verify the lights on the barricade are properly working.

Commissioner Bryant stated he has had four people comment to him regarding the closing of the roads at the baseball fields, and all four were positive.

Commissioner Horne thanked the fire department again for their help in the recovery of Jacoby Clayton.

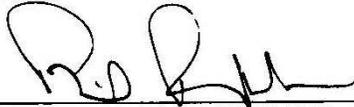
Brenda Dirkse, Chairman of Baker County Tobacco Free Partnership, informed the Board she would be leaving a handout outlining youth tobacco use in Baker County. She also reported that Baker County has improved in the county health ranking, up from number 62 in the prior year to number 50.

With no further comments from the audience, Commissioner Bryant adjourned the regular meeting.



  
MAYOR CARY DORSON

ATTEST:



CITY MANAGER/ CLERK PHIL RHODEN