

CITY OF MACCLENNY
Regular Meeting
June 9, 2015
6:00 p.m.

The City Commission met in a regular session, Tuesday, June 9, 2015 with the following present: Mayor Gary Dopson, City Manager Phil Rhoden, Commissioners Mark Bryant, Sam Kitching, Cecil Horne Jr., and Council Secretary Stacy Mills. Commissioner Bennett was absent.

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

Old Business: Mayor Dopson recognized City Attorney Frank Maloney to do the final reading of **Ordinance 15-04**. A bill to be entitled an Ordinance relating to annexation; providing for the annexation of certain lands contiguous to the City of Macclenny; providing for acceptance of a voluntary annexation request from Donald and Janice Hancock of parcel 30-2S-22-0000-0000-0210. Commissioner Kitching made a motion to approve the final reading of **Ordinance 15-04** and was seconded by Commissioner Bryant. Voting was unanimous.

Mayor Dopson recognized City Attorney Frank Maloney to do final reading of **Ordinance 15-05**. A bill to be entitled an Ordinance relating to amending the Sands Pointe Planned Unit Development, Ordinance No. 04-17; providing for intent; findings of consistency; findings of fact; recordation and an effective date.

Mr. Ron Rogers stated his original agreement with Montgomery Development, for the eighty foot lots that back up to Copper Creek and to his property would have a six foot shadowbox privacy fence. Mr. Rogers spoke to Mr. Prestwood and he has agreed to honor this agreement. Mr. Rogers's next issue is about the drainage easement coming out of the retention pond in Sands Pointe. He stated the bottom is washed out towards the river, and it runs under the bulk head and around it. He feels the issue has ruined his property adjoining the river. Mr. Rogers agreed he did not read the full agreement with Mr. Montgomery as far as the ditch. He thought the ditch would go all the way to the river. Manager Rhoden stated he and Mr. Yarborough visited the sight a year ago and the situation must have worsened over the last year. Mr. Prestwood stated he was not aware of any of these drainage problems, but would further look into them. He also stated the agreement between Mr. Rogers and Mr. Montgomery were not listed in the PUD or the ARB. The agreement letter from Montgomery Land Company addressed to Mr. & Mrs. Rogers is entered for the record to the minutes of this meeting. (See Attached) Mr. Prestwood stated he would intervene between Montgomery Lands and Mr. Rogers and see if he can't get the situation handled. Mr. Yarborough requested letters from the owners of all vacant property in Sands Pointe stating the owners are okay with the changes as long as the Ordinance passes this evening. Commissioner Kitching made a motion to approve the final reading of Ordinance 15-05, contingent on letters requested by Mr. Yarborough, and was seconded by Commissioner Bryant. Voting was unanimous.

New Business: Mayor Dopson recognized City Attorney Frank Maloney to read **Ordinance 15-06**. A bill to be entitled an ordinance relating to amending the 2025 future land use map which shall change the future land use designation for approximately 3.80 acres described herein from Commercial Medium Intensity (CMI) and Mobile Home (MH) to Commercial to Medium Intensity (CMI) related to a small scale development activity; rezoning the property as described herein from Residential Mobile Home (RMG) and Commercial Neighborhood (CN) to Commercial General (CG); providing for intent; authority; findings of consistency; findings of fact; severability; recordation and an effective date.

Mr. Scott Lyons from AVA Engineering representative for Mr. Williams brought a rough site plan for the mini storage buildings. The drawings included buildings, a retention pond and landscaping. Mr. Jody Thrift stated he owned the pie shaped property in the middle of Mr. Williams's property. Mr. Thrift purchased this property as an investment for rental and his concern is fencing the property that is located around his house. Mr. Thrift feels if Mr. Williams places a six foot fence around his property it will make his tenants feel like they are in prison. Mr. Williams stated he and Mr. Thrift have discussed some different options about the fence and property. Mr. Williams stated he would be more than willing to work with Mr. Thrift on these issues. Mayor Dopson stated the City normally requests a six foot privacy fence to be placed in between commercial and residential properties. Mr. Williams stated there is already a chain link

fence and would like to continue with the same material so it stays uniformed and adding slats to help with privacy. Mr. Yarborough stated if the first reading is approved this still must go in front of the Zoning Adjustment Board for approval to allow mini storage buildings in CG zoning. Commissioner Bryant made a motion to approve first reading of **Ordinance 15-06** and was seconded by Commissioner Horne. Voting was unanimous.

Mayor Dopson recognized City Attorney Frank Maloney to read **Ordinance 15-07**. An Ordinance granting Florida Power and Light Company, it successors and assigns, an electric franchise, imposing provisions and conditions relating thereto, providing for monthly payments to the City of Macclenny.

Mr. Dave Cobb stated this agreement does not address underground utility issues; the City has Ordinances for this. The agreement states the City will not go into the electric business and FPL agrees to pay a percentage of their revenues to the City. The difference between the old agreement and the new agreement, the old stated the franchise payment is equal to six percent of FPLs revenue when added to ad valorem taxes and other fees the City may impose. The new agreement removes the ad valorem taxes out of the equation which is an increase net of \$20,000 to the City. The second difference from the old agreement is, each month ninety percent of the franchise fee collected was paid to the City, and one payment made at the end of the year. The new agreement will be a more leveled payment each month. Commissioner Kitching made a motion to approve first reading of **Ordinance 15-07**, and was seconded by Commissioner Bryant. Voting was unanimous.

In other business was the approval of the minutes from May 12, 2015 meeting. Commissioner Kitching made a motion to approve the minutes and was seconded by Commissioner Bryant. Voting was unanimous.

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

Mayor Dopson asked City Manager Rhoden to have the City impact fees reviewed by our Engineering firm. Mayor Dopson stated he would like the transportation, fire, recreation, water and sewer tap fees and line capacity fees reviewed. Mayor Dopson stated in comparing construction costs when impact fees were developed to today's construction costs, todays cost have come down and could result in a lower impact fee. The methodology for calculating the fees has changed which could also reduce impact fees. Our primary goal has not changed and that is to ensure new growth will help pay for itself. The City does not want to pass any undo tax burden onto our citizens. Mayor Dopson stated the City is not doing away with impact fees, just making sure the prices are fair to the developers and contractors to be competitive in the local market and an amount that will not prevent an individual from being able to build or buy a new home. The City's impact fees as of today are \$2732.33 and the School's impact fees are \$2592.00. The schools impact fees with in the city limits are collected by the city for the school system.

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




MAYOR GREG DOPSON

ATTEST:


CITY MANAGER/ CLERK PHIL RHODEN