

CITY OF MACCLENNY
Regular Meeting
January 8, 2013
6:00 p.m.

The City Commission met in regular session, Tuesday, January 8, 2013 with the following present: Mayor Gary Dopson, City Manager Gerald Dopson, Commissioners Tommy Johns, Richard Johnson, Phil Rhoden and Floyd V. Bennett.

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

Mayor Dopson opened the meeting and asked if there was any old business. City Manager Gerald Dopson said we have started a tradition of every five years of service whether it is volunteer, elected or employment to award a tenure pin. Every five year increment is recognized. Although the League of Cities was here to recognize Commissioner Bennett for his 25 years of service to the Board at a previous meeting, we wanted to present a 25 year pin and tell him what a pleasure it has been to serve with him and give him best wishes for his continued service. Commissioner Bennett expressed his gratitude. City Manager Dopson said we also have a board meeting that is not as publicized as the City Council meetings but is important to the integrity of our zoning, the Zoning Adjustment Board. Assistant City Manager Roger Yarborough usually leads these meetings. They are mostly routine but occasionally have a contentious meeting and that makes us appreciate our volunteer board members all the more. It gives him great pleasure to give Mr. Dennis Collins his 5 year service tenure pin for his service on the Zoning Adjustment Board. Mr. Collins expressed his gratitude.

In new business, Mayor Dopson recognized City Attorney, Frank Maloney to read by title only the second reading of Ordinance 13-08 a Bill to be entitled an ordinance amending section 4-78 of the Unified Land Development Regulations of the City of Macclenny, Florida; to revise sections 4-78(B)(1) and (3) affecting the list of permitted uses and structures as well as the list of permitted uses by special exception in the industrial, Warehouse (IW) Zoning Districts; providing for an effective date. Mayor Dopson said we had the first reading of this ordinance at the last meeting and it basically moves three items out of permitted use and put them into the permitted use by special exception section. A motion was made by Commissioner Bennett to pass the second reading of ordinance 13-08. It was seconded by Commissioner Johnson. Voting was unanimous by members. Motion carried.

Next order of business, Mayor Dopson recognized City Attorney, Frank Maloney to read by title only the first and final reading of Ordinance 13-01 a Bill to be entitled an ordinance relating to amending the 2025 future land use map which changes the future land use designation for approximately 1.35 acres described herein from commercial low (CLI) to public/semipublic (P) related to a small scale development activity: rezoning the property as described herein from residential, professional office (RPO) to government (GU); providing for intent; authority; findings of consistency; findings of fact; severability; recordation and an effective date. Mayor Dopson said this was for an office building located close to the helipad at the hospital. He will declare conflict on the voting of this ordinance since he is on the Board at the hospital and will abstain from voting. Assistant City Manager Roger Yarborough said this also included the parking lot that was located near the hospital that would be installed there as well. A motion was made by Commissioner Bennett to pass the first and final reading of ordinance 13-01. It was seconded by Commissioner Johnson. Voting was unanimous by voting members. Motion carried.

Next order of business, Mayor Dopson recognized City Attorney, Frank Maloney to read by title only the first and final reading of Ordinance 13-02 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 2.60 acres described herein from industrial(I) to commercial medium intensity (CMI) related to a small scale development activity; rezoning the property as described herein from Industrial, Warehouse (IW) to commercial general

(CG) providing for intent; authority; findings of consistency; findings of fact; severability; recordation and an effective date. Mayor Dopson said the next five or so are related to a continuous piece of property that runs from East Boulevard where the old cement plant was located to west along the railroad tracks to where Heirs old gas building is located. He asked if we are doing this to control what goes in there. City Manager Dopson said yes. It is currently zoned that now another cement plant could come in and be located right across from a house. The area has built up over the years and it is not compatible to that type of building. This is being guarded against and used to update our land use map to protect the neighborhood from this type of situations. A motion was made by Commissioner Bennett to pass the first and final reading of ordinance 13-02. It was seconded by Commissioner Johnson. Voting was unanimous. Motion carried.

Next order of business, Mayor Dopson recognized City Attorney, Frank Maloney to read by title only the first and final reading of Ordinance 13-03 a bill to be entitled an ordinance relating to amending the 2025 future land use map which shall change the future land use form the designation for approximately 1.68 acres described herein from industrial (I) to commercial medium intensity (CMI) related to a small scale development activity; rezoning the property as described herein from industrial warehouse (IW) to commercial general (CG) providing for intent; authority; findings of consistency; findings of fact; severability; recordation and an effective date. A motion was made by Commissioner Bennett to pass the first and final reading of ordinance 13-03. It was seconded by Commissioner Johnson. Voting was unanimous. Motion carried.

Next order of business, Mayor Dopson recognized City Attorney, Frank Maloney to read by title only the first and final reading of Ordinance 13-04 a bill to be entitled an ordinance relating to amending the 2025 future land use map which shall change the future land use form the designation for approximately 0.24 acres described herein from industrial (I) to commercial medium intensity (CMI) related to a small scale development activity; rezoning the property as described herein from industrial warehouse (IW) to commercial general (CG) providing for intent; authority; findings of consistency; findings of fact; severability; recordation and an effective date. A motion was made by Commissioner Bennett to pass the first and final reading of ordinance 13-04. It was seconded by Commissioner Johnson. Voting was unanimous. Motion carried.

Next order of business, Mayor Dopson recognized City Attorney, Frank Maloney to read by title only the first and final reading of Ordinance 13-05 a bill to be entitled an ordinance relating to amending the 2025 future land use map which shall change the future land use form the designation for approximately 0.12 acres described herein from industrial (I) to commercial medium intensity (CMI) related to a small scale development activity; rezoning the property as described herein from industrial warehouse (IW) to commercial general (CG) providing for intent; authority; findings of consistency; findings of fact; severability; recordation and an effective date. A motion was made by Commissioner Bennett to pass the first and final reading of ordinance 13-05. It was seconded by Commissioner Johnson. Voting was unanimous. Motion carried.

Next order of business, Mayor Dopson recognized City Attorney, Frank Maloney to read by title only the first and final reading of Ordinance 13-06 a bill to be entitled an ordinance relating to amending the 2025 future land use map which shall change the future land use form the designation for approximately 0.65 acres described herein from industrial (I) to commercial medium intensity (CMI) related to a small scale development activity; rezoning the property as described herein from industrial warehouse (IW) to commercial general (CG) providing for intent; authority; findings of consistency; findings of fact; severability; recordation and an effective date. A motion was made by Commissioner Bennett to pass the first and final reading of ordinance 13-06. It was seconded by Commissioner Johnson. Voting was unanimous. Motion carried.

Next order of business, Mayor Dopson recognized City Attorney, Frank Maloney to read by title only the first and final reading of Ordinance 13-07 a bill to be entitled an ordinance relating to amending the 2025 future land use map which shall change the future land use form the designation for approximately 0.19 acres described herein from industrial (I) to commercial medium intensity (CMI) related to a small scale development activity; rezoning the property as described herein from industrial warehouse (IW) to commercial general (CG) providing for intent; authority; findings of consistency; findings of fact;

severability; recordation and an effective date. A motion was made by Commissioner Bennett to pass the first and final reading of ordinance 13-07. It was seconded by Commissioner Johnson. Voting was unanimous. Motion carried.

In other business, Mayor Dopson recognized City Manager Dopson to discuss recent communication with Oldcastle Southern Group. City Manager Dopson said we have provided the Board with some communication we had received concerning Oldcastle's inquiry to the City and their interest shown to hook up to the City to utilize the City's grey water at the proposed site they are trying to get permitted for their sand mining operation. He provided copies to the Board to make certain that none of the Board members had concerns on this path. It would be beneficial to the City of Macclenny simply because we are going into Turkey Creek which is sensitive. Simply eliminating us going into Turkey Creek would lighten some of the rigid requirements that the City has to meet through the permitting procedure to both the federal and state agencies. Nothing has been worked out in detail. We gave just a general objective and purpose in possibly pursuing these negotiations. When the Oldcastle's permit was first brought up to the Board, St. John's Water Management was on the City when we went in for our last CUP permit about the City needing to find a program to recycle our grey water such as irrigation purposes instead of drawing that out of the ground. When Oldcastle first requested their permit, we wrote to St. Johns and asked if a permit was issued to them could they require them to look at utilizing the City of Macclenny's grey water. That's how it originated. Since that has happened, the request has been very controversial. By us providing this letter, if Oldcastle gains the permits required it would help the City of Macclenny in the future. He would think Oldcastle would also not want to sink a well to pull water out of the aquifer for their purposes. This tentative approach by the City with Oldcastle in no way reflects our support or opposition to Oldcastle's request. He wanted to make that clear to the Board. Oldcastle is interested in continuing talks with the City. There is some disparity in the number of gallons the City can provide to Oldcastle. In a letter Mr. Wyman Dugand, who was representing Oldcastle at the time, there was an amount of 25.5 million gallons listed that come from our engineer. We had our operator run some data for us today and the figure we came up with was closer to 100 million gallons. That has to be looked at and worked out as well. That is where we are at with this at the moment. Mr. Hugh Fish is representing Oldcastle now and if there are any questions the Board would like to ask, we are available. Commissioner Johns asked if he was correct to hear that we could provide 100 million gallons. City Manager Dopson said that he was given the figure of 250,000 gallons per day which if multiplied by 365 days, if figures are correct, that is close to 100 million gallons. That is the data we received today. Commissioner Johns asked how much would Oldcastle need or was that too early to ask. City Manager Dopson said that was too early. We will have to look at the figures and see if that is enough to suffice for Oldcastle. If a permit is issued to Oldcastle and it would be beneficial to them, they would run at their expense a pipeline and provide long term property even after their sand mining was complete for the overland discharge of the City's grey water. This is even after 30-40 years of their operation. This can all be worked out with input from everybody. The volume we need to make certain since there is some discrepancy. We will verify those figures. Mr. Hugh Fish said he represents Paul McCormick agency which does the public relations for Oldcastle. We would love to work with the City. Like Mr. Dopson said it was all very preliminary and our experts will get with their experts and see if we can get together and make a good bona fide offer to the City. Mayor Dopson said he hoped everyone understands that any permitting for Oldcastle comes from the County Commissioners. Commissioner Bennett said looking back, most of the county seemed to be against the mining and one of the big things was the water issue. If we can get this worked out, it may be a benefit to the County, us and the company. It may change the minds of people if we are furnishing the water that is needed. Mayor Dopson asked if Oldcastle was the one that is to the south. Mr. Hugh Fish said they were the ones that were south down by the landfill. Mayor Dopson asked if it was the area that had been mined. Mr. Hugh Fish said it was located on top of the DuPont tract. The mine that Oldcastle would use it is the same DuPont used. Mayor Dopson asked if the purpose of using the grey water was to avoid putting a well down to draw out of the aquifer. Mr. Hugh Fish said that was what the state has suggested based on our request. The state has asked we look at the feasibility of using grey water instead of a well. Commissioner Bennett asked if they use a well, would it take water from the aquifer. Mr. Fish said yes and then fed back in. Mr. Danny Norton asked if the grey water was our waste water. Mayor Dopson said it did come from our wastewater but did include more than just wastewater. Mr. Norton asked if there was a financial benefit to the City. Mayor Dopson said it would be a great financial benefit if the amount we put out is usable to the Oldcastle. We

would have to ask our engineer to see how many millions of dollars it would save us over the years. He said we are in the early stages and this is for information only.

In other business, approval of the Minutes from the regular city council meeting on December 11, 2012. Commissioner Bennett made a motion and was seconded by Commissioner Johnson to approve the minutes. Voting was unanimous. Motion carried.

In other business was the review of the bills for December. Discussion followed. Motion to approve the December bills was made by Commissioner Bennett and was seconded by Commissioner Johnson. Voting was unanimous. Motion carried.

Mayor Dopson opened the floor for comments. Commissioner Bennett said he was not sure that this was the time but he wanted to say there is a person in the community that seems to want to direct our directions and business. He is always sending communication to City Hall and it takes our secretary a lot of time to answer all his correspondence. He feels like if this gentleman that is making all the inquires is interested in what is happening in the City, then he should attend the meetings. We always have an empty chair for him. It seems like after every meeting there is something he wants us to do or ask questions about why we did this or didn't do something. Our secretary has to answer all this. He would not call any names but he knows who he is. Mayor Dopson said our e-mail addresses were requested and he advised that he did not want his given out. If the gentleman wanted to come to the meeting and talk face to face, we would be glad to do that. He wanted whatever said to be in public. Commissioner Rhoden said he wanted to add everything is covered under Sunshine and should be conducted in public not in e-mails or private conversations. We have an open government here and we encourage participation. Everything is front and center right here. We don't need a Monday morning quarterback. Come be a participant. You are invited.

Mayor Dopson said he wanted to say how fortunate the community has been to have Commissioner Bennett on the Board for 25 years. He has sat on the Board and has made the best, most honest decisions he could possible make. Across the board, they have been excellent. We have been very lucky to have him here. City Manager Dopson said that was echoed by everyone in this room. City Manager Dopson said we have been discussing the stop sign issues in a part of the City for the last few meetings. He has been riding and looking at the area and honestly the more he rides, the more confused he gets. If we are going to do something, we want to make sure it is for the overall benefit for the people. Not all change is good. That traffic pattern has been there for years and we have never experienced a significant mishap. There is probably speeding going on and not only in this part. We don't condone it but it does happen. We had looked at just changing the stop sign around but we don't want to create a bigger safety type issue. He has asked our Safety Director, Chief Buddy Dugger, to ride and take a look at it. He is not sure at the moment if we need to do anything. It is important to us since safety is a cherished commodity with each of us. By not doing something sometimes sends a message that if a mishap occurs then the City should have done something. If you ask DOT to check into changing the traffic pattern, they will get an incident report and they go strongly on their accident or incident reports. We don't have a lot there to go on. We have a lady that is concerned about people going too fast there. Can we effectively do something there that would satisfy the overall issue? He feels that it may bring more questions than answers. Our Safety Officer Buddy Dugger has not had a chance to go and ride it yet but it feels like by trying to resolve one issue, we may be opening up another issue. He has told the Baker County Press that we are still looking at it and haven't decided on anything yet. Mayor Dopson said he feels like until we are sure we need to do something, we don't need to do anything. City Manager Dopson said we have not had a significant accident there, not that it can't happen but it hasn't happened. We just don't want to create more issues then the one to resolve. We also have reached a conclusion with the contract proposal with Advanced Disposal. The committee has looked at it as well as the attorney. We have went back and forth but now the City Attorney feels comfortable with the document so we are prepared to move forward with the signing of the contract with the effective date of February 1st. He noticed that Advanced had put some instructions in the local paper but we will send our residents and business owners a personal letter outlining a few things. We realize it will be a work in progress type of transition. We feel like it will be a good thing. We need to do this to control future expenses and also to minimize our indebtedness. This is a vehicle that gives us the capability to do this. Mayor Dopson said this is the only option we have to not raise our rates. City Manager said we are taking down our Christmas lights. We have in the past maintained our color scheme for a few years. We did have a complaint letter to the editor that did not like the blue lights and silver tinsel. Next year, we will take another

stab at it. We will work on that during the summer. Commissioner Johnson wanted to thank Joy Chapman in Code Enforcement for handling the parking situation at the daycare. Dennis Collins said thinking about the emails that he had a similar situation with their homeowners association and they put out a resolution that the maximum number of e-mails was three per month and an invitation to the monthly meetings. He didn't know if that was something we could do here. Just food for thought. Mayor Dopson said we need to just be as brief as we can be and invite him to the meeting. Mr. Collins said he had a visit from Advanced Disposal and the representative had told him that they would have to remove the bins they have now. He said when he was here before the situation on College Street where the rental office has an enclosure where the trash bins are located was discussed. He wasn't sure now how that would be handled. City Manager Dopson said he was sure there are going to be some areas that will have to be addressed in some unique manner. We have spoken to the contractor about some of these issues and things will come up that we cannot foresee. They understand customer service is important and we will work out these issues with them. Mayor Dopson said he thought the company was large enough that he couldn't imagine that there were many situations that they have not run into this at this point. He felt comfortable they would be resolved. Mr. Danny Norton said on a lighter note that his wife agreed the Christmas light colors scheme was dreary but he thought they were fine. Mayor Dopson said since we took the trees with the lights down, they could not see the parade as well. The other comment he heard was that the local businesses did not have as many lights as usual. It would be good to get them more involved. City Manager said there were ways to encourage participation with letters and things and we would work with the local businesses to see if we can get more participation.

With no further business, the meeting was adjourned.


MAYOR GARY DOPSON

ATTEST:


CITY MANAGER/ CLERK GERALD DOPSON

