

CITY OF MACCLENNY
Regular Hearing
January 14, 2014
6:00 p.m.

The City Commission met in a regular session, Tuesday, January 14, 2014 with the following present: Mayor Gary Dopson, City Manager Phil Rhoden, Commissioners Floyd V. Bennett, Sam Kitching, and Mark Bryant, and Cecil Horne Jr.

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

In memorializing the vote for replacement for Commissioner Johns, City Attorney Mr. Frank Maloney spoke. It was brought to our attention there may have been a Sunshine Law violation. I researched the question and decided it was best to have a re-affirmance of what happened that night. It may have been a technical but not an intentional violation. To be a 100% correct and following the Florida Supreme Court's opinion and two attorney general's opinion both recommended at the next public meeting a re-affirmance of the vote, not a new vote would then make it Sunshine Bright which is a quote from the Supreme Court. This would make it pro tunc which is Latin for back to the time it happened. We are not re voting just stating how each commissioner voted at that time. It is imperative that we have this on record. The City will be filing with the Supreme Court and Attorney General to memorialize what the vote was at that time and the contract goes back to that date. Mayor Dopson stated we need to memorialize both votes. Each commissioner has signed and dated the paper ballots. Commissioner Bennett stated both ballots he voted for Mr. Alex Robinson. Commissioner Bryant stated both ballots he voted for Mr. Cecil Horne Jr. Commissioner Kitching stated both ballots he voted for Mr. Alex Robinson. Mayor Dopson stated both ballots he voted for Mr. Cecil Horne Jr. Mayor Dopson stated he has been on this board long enough to know that anything that is said or done, any piece of writing, anything presented to the board and any communications is public knowledge. It is open to the public to review. The public had every right to know how each commissioner voted on the two different ballots, and if anyone had asked by Sunshine we would have been obligated to tell that night how each commissioner voted. Yes, we should have signed the ballots that night. Mayor Dopson stated he takes part blame and the other part on the City Attorney. Mr. Maloney should have reminded the commissioners to sign the ballots before the meeting was adjourned. Anytime we do something like that we are supposed to put our names on it. Mayor Dopson stated it was a hastily called meeting; everything went quite smoothly, we flipped the coin. I can give all kind of reasons, but it slipped my mind when we left that the ballots were not signed. That won't ever happen again and to my knowledge has never happened before. I am proud to say with all the commissioners that have served on this board, the exceptional job when it comes to staying within the Sunshine Law. There was no intent to break the Sunshine Law that night.

Mayor Dopson recognized Mike Walker to recommend the appointment of Mr. Lynward Bones to the Zoning Adjustment Board. Mr. Walker recapped the Board members. Mr. Dennis Collins resigned and moved on, Mr. Cecil Horne became City Commissioner, and Mr. Alex Robinson resigned, which leaves Mr. Bob Lambright and Mrs. Naomi Roberson. Mr. Bones comes highly recommended from our new City Commissioner Mr. Cecil Horne. Mr. Bones has worked at Ameri Steel for 26 years. He desired to serve on the board and is a good Christian man. There were no comments from the Commissioners. Commissioner Kitching made a motion to appoint Mr. Bones to the Zoning adjustment Board. Commissioner Bennett seconded the motion. Voting was unanimous.

Mayor Dopson recognized City Attorney Frank Maloney to read Resolution 14-03 by title only. A resolution of the City of Macclenny Florida approving and authorizing the execution of a construction and maintenance agreement between the state of Florida Department of Transportation and the City of Macclenny, Florida There were no comments from the Commissioners. Commissioner Bennett made a motion to approve Resolution 14-03. Commissioner Kitching seconded the motion. Voting was unanimous.

Item 3C was asked to be tabled until the next City Council Meeting.

In other business was approval of the Minutes from the month of December and for the special meeting on December 30, 2013. Commissioner Bennett made a motion to approve the minutes and was seconded by Commissioner Kitching. Voting was unanimous.

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

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


MAYOR GARY DOPSON

ATTEST: 
CITY MANAGER/ CLERK Phil Rhoden

