

**CITY OF MACCLENNY**  
**Regular Meeting**  
**October 9, 2012**  
**6:00 p.m.**

The City Commission met in regular session, Tuesday, October 9, 2012 with the following present: Mayor Gary Dopson, City Manager Gerald Dopson, Commissioners Tommy Johns, Phil Rhoden and Floyd V. Bennett. Commissioner Richard Johnson was absent.

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

Mayor Dopson opened the meeting and recognized Mr. Frank Darabi to give a status report and answer questions regarding the solid waste bid process. Mr. Frank Darabi stated we had bid out the contract to remove the solid waste and take it to the landfill. We received some attractive numbers. We had a committee meeting and discussed some of the issues that we wanted to discuss before we went ahead and had a contract done. The staff, Commissioner Rhoden and City Manager Gerald Dopson met and discussed the issues. He has come up with a letter to the vendor but would like the Commissioners comments added. We will tell the contractor up front the things we want to do before we sign the contract. We have identified two individuals within the existing staff that we would like the contractor to interview and potentially give jobs. We want them to prepare a plan to address public education including meeting with the residents to get them familiarized with the changes. Anytime there is something new, people are concerned and worried about it but if it is explained and you try to work with them, the uncomfortable feelings become less and less. We would like the contractor to do that or show us a plan of how they will do that. We also want them to send out leaflet information to the residents explaining how this process works. We would like them to potentially have a public meeting that we would attend with them and maybe neighborhood meetings. Whatever works. We would like them to identify the routing plan including how they will serve which areas. Also, their public policy on how they will deal with complaints. We expect to have complaints in the beginning and we want them to have a plan for it in place. We want them to address how they will help handicapped and elderly that can't push the carts down to the curbside. That is the list that we came up with. As you know, the garbage cans that are in the council chambers, are examples of the ones everyone will receive. They will have a placard that says "City of Macclenny". The company can put their name on it. We want to go with them to each residence and show them where the cans can be located and how they will pick them up because each home is different. Some have driveways, some don't. Some have curbside, some don't. These are some of the things we want to do upfront to minimize the anxiety that some folks may have with the change. He can assure the council that after a few months, everybody forgets about it and gets going. He wanted to come before the council and explain these things and ask if they had any additional comments or concerns so he can put it in the document and send it to the contractor. We don't want to sign a contract and then talk about these things. We want to talk about these things before we sign the contract. Commissioner Johns said in the headlines of the newspaper there was an article about the contractor being at odds with Jacksonville about the million dollars. It got him thinking and he wanted to know if the company kept a log of complaints. If they do, he would like to know how many and the nature of the complaints. Mr. Darabi asked if he meant their existing services. Commissioner Johns said yes, their existing customers and maybe a town about our size. He felt sure they would have something that verified that customers called in and how they handled the complaints. Mr. Darabi said that was a good question. He wanted to address the first part about what was read in the paper. What you read in the paper does not affect us as much because of the type of services it was related to. Commissioner Johns said he realized that. Mr. Darabi said there will be a statement in the contract regarding penalties if they mix our waste with someone else's waste. The first time there is a penalty and a charge. The second time the contract is terminated plus fines. That is the only way anybody can take advantage of us, which he was not saying that they would do. That is why we put those things in place. If they pick up garbage from the City and garbage from somewhere else and mix it then we pay for it at the landfill. Financially that is the only way something could happen. He had already planned that to be included in the contract no matter who got the contract to make

sure that does not happen, the mixing of waste. He said if they pick up some neighborhoods in the County, it is convenient to have a full truck instead of half going to the landfill. He wants to eliminate that incentive. Commissioner Johns asked if they would have to pay for recycling. Mr. Darabi said no they are not involved in the recycling. This is strictly garbage collection. By garbage, he means waste. Not even limbs and trees. Those are things we take care of. As far as performance, he has not personally contacted the City of Jacksonville to ask them. He thinks it is up to us to make sure that the performance is appropriate and in the contract there will be provisions that he intends to put in that if complaints exceed so much per month they pay a fine to us. After so many complaints, the contract will be terminated. Those things are important. Having said all of this, he has been involved with many Cities and counties that have changed the process. Once you go out of business as a City, it is very hard to go back into it. It is always easy to get out of business and find someone else to do it but if they don't do a good job, the alternatives are not that attractive. One is to rebid it. At that time, it could be higher like the other two which he felt we could be similar to in cost if we handled the solid waste collection. This bid was substantially lower. That's why we are taking a look at it. The fines and the remedies have to be high enough that they don't do it. That would be a part of the contract. Right now, we are asking them to do these things and we will ask them to give us a list of their complaints and how they handled them on other projects. City Manager Dopson said he wanted to address the comingling of the trash. We have some pretty good comparisons that we will be able to go back and look and see if there is any significant trend in upward cost. We would be able to detect that pretty quick. Commissioner Rhoden said he had met with the committee and had another meeting with the City Manager and still just wanted to move slow. He is not a proponent of outsourcing. He hates to give up control. He would like to see a cost comparison. He realizes projected savings look good based on how we do business now. He would like to see something to show if we were to buy the truck like we originally started out in the process. We should see a reduction in the workman's comp claims which would reduce our workman's comp premiums. Can we reduce staff by doing this? There would be a fuel reduction and the life of the vehicle would be extended. He knows it looks good based on how we do business now. He would like to see the projections on how we were going to do business if we handled the solid waste. He knows there is no crystal ball and it will have to be a generic comparison but he would like to see if going to a private entity is really saving us that much money. Maybe we can still do the new process ourselves. He is just not sure that it is the best way and would like to see some comparative data if you could do something on that line. Mr. Darabi said to address that if you remember, we had visited that issue about a year ago and he did some cost analysis and he came and said we could do it ourselves. We then had the gentlemen come and ask that it be advertised. His numbers were around \$10- \$10.50 for us to do it ourselves. When they came in at a number that was half of that, we may be able to benefit from it. He knows how they are able to save it. The other two bids were just about the same as what he thought we could do it ourselves. The reason this one is lower is that they have some local business already. That makes it somewhat competitive. They are hoping once we get in we will continue to keep renewing. We are not there yet. In their contract, they are requesting a CPI and fuel adjustment. He will not agree to a CPI and a fuel adjustment. We are not there yet. He can't say now that we will sign a contract. We will look at all these things. He wanted to assure the Council that he has been in this business long enough to know and they are not going to fool him. At this point, we owe it to the contractor. They went through the effort to go through the process. This may take several months to get it done. Once we come back to the Council, we will know if it's right for us after we go through the process. He doesn't feel like he needs to spend any more time on the numbers. They have been done and he knows what the numbers are for us to do it. Mayor Dopson asked the length of time that this bid is for. Mr. Darabi said it is for a five year contract plus a five year renewal. The numbers stay the same except for CPI and fuel adjustments. We can terminate after five years or renew for another five. Mayor Dopson said he thought it would be difficult to get back into the business if we get out. Mr. Darabi said if we go with a contract you are gone. It takes too much capitol to get back in. He likes to accumulate the funds. He wouldn't want to come and ask you to spend \$400,000 to \$500,000 on a truck. It's called reverse depreciation. In government, they don't call it depreciation but that's what it is. You reserve the money so when the truck gets older you have the money without having to go out and borrow. We have put that into our analysis. We are not there yet but are proceeding in this direction. We may come back and say otherwise but right now this is the path we are going. Mayor Dopson asked about the crossed out line on the bid. Mr. Darabi did not affect the cost. They wanted to make sure we were paying for the disposal not the transportation. It was immaterial. Commissioner Bennett asked the time period we are looking at if everything goes smooth. Mr. Darabi said

it would be after Christmas. He did not want to start this during the holidays. It would be after the first of the year to get going with the contract. Then it would be a five year contract with five year renewal. Commissioner Bennett said he understood that but wanted to know when we would be going into business. Mr. Darabi said probably January or February. He will keep the Commissioners informed. The City Manager had asked him to come before we sent the letter to them to make sure you were all okay with the list of questions. This is how we are proceeding.

Next order of business was the final reading of Ordinance 12-07, an ordinance to rezone 8.58 acres from a commercial general (CG) to a planned unit development (PUD) by Yoramco-Cornerstone, LLC. The ordinance was read by title only by City Attorney Mr. Frank Maloney. Mr. Roger Yarbrough said basically we had met and everything looked good to go forward with the PUD. Matt Clark was here tonight representing Tractor Supply and also Cornerstone. We are waiting on some plans. Matt Clark said he had spoken to Tractor Supply and there were some concerns as to where the actual outdoor displays were going to be located. They relayed to him that all of the City concerns will be taken into consideration during the planning process. It all will be submitted into the City and at that point the City will be dealing with Tractor Supply directly. They felt there was nothing to worry about and they look forward to coming to Macclenny. Commissioner Bennett made a motion to approve ordinance 12-07. Commissioner Johns seconded the motion. The board voted unanimously to approve with member s present. Ordinance 12-07 was duly approved.

Next order of business was an update by Cherie Hedrick on the CDBG project and request Thomas Construction Services, Inc. to be added to the approved contractor list. Mayor Dopson recognized Ms. Hedrick. Ms. Hedrick said CDBG projects are moving forward and the construction is going fine. We do have one new contractor who wanted to be added to the approval list. Mr. Spencer Nabors from ITC has done his due diligence to make sure he is qualified. We have all of his insurance and paperwork on file. We just need approval from the Commission to add him to our approved contractor list. Mayor Dopson asked how that works. Will he be able to bid on any other houses that come up. Ms. Hedrick said yes he would be eligible to bid on any other houses they work on. Assistant City Manager Roger Yarbrough said after meeting with him and the City Manager met with him as well, he is one of the people we are looking forward to having since many of the contractors would not bid if it was not a new home. He also does recon and anything that is a problem with homes that need to be repaired. We didn't have many bids on some of them. He will be an asset. Ms. Hedrick said he is a local Baker County resident and as Mr. Yarbrough said he specializes in rehabs. If you look at our original bids from the first round, we had quite a few no bids on the rehabs and this is his specialty. We wanted to at least give him the opportunity to go forward with us if he qualified. He met all the qualifications. Mr. Yarbrough said he was very qualified. Commissioner Bennett made a motion to add Thomas Construction to the list of approved contractors. Commissioner Johns seconded the motion. The voting was unanimous to approve the request.

Under new business, Mayor Dopson recognized Ms. Kathy Till from Advocacy Consultants representing the Florida League of Cities, Inc. Ms. Till said it was a pleasure to be in Macclenny and had enjoyed the drive in and dinner at the local restaurant, Calendar's. She has a residence and office in Apopka. She was an elected official and served on the City Council for two terms and instead of running for a third term she decided to go into consulting and focus on advocacy. She is traveling around the state working with local elected officials as well as the state legislature in helping to build and strengthen the relationship between those two entities. One of the things that they are doing is round table discussions with state elected officials and the local legislatures within their district. Ms. Elizabeth Porter was re-elected unopposed and there is an upcoming roundtable meeting October 17, 2012 at noon in Lake City. She welcomed anyone who can come to come speak with Ms. Porter candidly to please come. She said that was a new project for the League of Cities and it was so important because all of us had been touched at some point by redistricting. We are getting a lot of new legislatures in Tallahassee this session. Some are not new but will be representing new cities and it's a great opportunity to reach out to those individuals, get to know them a little bit or if you already know them to strengthen the relationship. Since elections will be over and it is between election years, we are hopeful that it will not be a difficult session for cities but we always want to be prepared. By building those relationships, it will help us be as prepared as possible. She handed out an Advocacy Guide and provided the link for the on-line guide. It is a step by step guide of proven

advocacy strategies that was put together by our elected officials throughout the state. There is a check list to follow in the back of the book to help create an advocacy plan that will work for an elected official. There are tons of sample e-mails and letters in the guide as well. One of the other things the Florida League of Cities is working on is their website. It has been completely redesigned. It is very user friendly. Under the legislative and advocacy section, there are monthly tips that are current and appropriate to put into effect. She included the tips in the packet she had handed out. Amendment 4 leaflets are coming in the mail. She said it was very misleading and only giving half of the story. We are making a lot of efforts not to say opposed or in support of Amendment 4 but to have informed constituents. Under the Leagues website, there is an Amendment 4 tool kit available. There are several amendments on the ballot that if passed will negatively impact our local governments around the state to the tune of 200 million dollars in the first year. They are very serious and have dire consequences. Amendment 4 is scheduled to impact at \$185 million which is the one we are focused on the most. One of their lobbyist, Amber Hughes, who does the finance and taxation, put together a summary that is included in your packets of all the amendments and the fiscal impact. It is really good information to use when you speak with your constituents. She explained Amendment 4 and how it relates to property taxes. She said as soon as she explains the inequities to people in terms they understand they immediately say they don't want that. She said there has been a lot of discussion about Amendment 4 both the pros and the cons. They want to make sure you have as much information as possible so you can inform your citizens accordingly. The League of Cities is offering a webinar on October 10<sup>th</sup> on Amendment 4 if you would like to tune in. They also have their Legislative Conference coming up in Orlando in November. There will be a 1 hour advocacy workshop during the conference. Some of the other things the League is doing is to offer training on advocacy. They have staff available to come and do that for the city. They will also be doing training in the regional leagues as well in the upcoming months. She thanked the council for inviting her to speak. Mayor Dopson asked to have some representation for the Roundtable discussion with Elizabeth Porter. Assistant Roger Yarbrough and Commissioner Phil Rhoden volunteered to attend on October 17<sup>th</sup>. City Manager Dopson said the amendments are scary as far as the decisions being made by the voters. He doesn't blame the voters. If there is an issue that will reduce the taxes, they want to vote for it justifiably so. Some of the governments in particular in the rural areas without a large tax base have to keep cutting back and cutting back. We have been able to survive so far and if that's the way it is, we will have to deal with it. In our case, the ad valorem taxes are one of our biggest revenues. If the trend continues and the revenues and sales taxes keep sliding, we are going to have to make some tough decisions. We try to maintain the services that our people deserve but it gets to be a tough call. If he was not in the position he was in, he would probably think the same thing about cutting taxes that he pays. Commissioner Bennett said he thought that was the problem. When people read the amendment mailer that came out and read the first paragraph, people think it's a good thing and will vote for it. That's as far as they read and it is not thought through any deeper on the problems that it may cause us later on. City Manager Dopson said they have long term effects. He is not saying the voters are not educated just that it is a big decision with long lasting consequences. Amendments will always be part of the process.

The next order of business, Mayor Dopson recognized City Manager Dopson to introduce the public service announcement for HUD and the fair housing authority. City Manager Dopson said the City of Macclenny is an avid fair housing agency. We would like to introduce the public service announcement to be shown. The PSA was shown and handouts were giving on the basic facts for fair housing act. Mayor Dopson opened the floor for questions or discussion regarding fair housing act. There were no questions or comments.

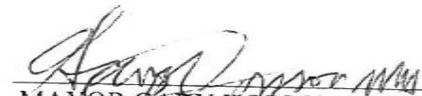
In other business, approval of the Minutes from the TRIM Meeting September 11, 2012, the Regular Meeting September 11, 2012 and the TRIM Final Meeting September 25, 2012. Commissioner Bennett made a motion and was seconded by Commissioner Rhoden to approve the minutes. There were no questions or comments. Voting was unanimous. Motion carried.

In other business was the review of the bills for September. Mayor Dopson asked if there were anything unexpected on the bills. City Manager Dopson said no and asked Ms. Hedrick if we had received our FEMA payment in as of yet. Ms. Hedrick said they have notified us that they have all the required paperwork but we have not received our check yet. Mayor Dopson asked about the purchase of a paper dispenser. Assistant City Manager Roger Yarbrough said it was for the City Park. We purchased a Stainless Steel dispenser that would

hopefully help with vandalism. City Manager Dopson said while we were talking about the park, it is one of the facilities that the residents really seem to enjoy. We do everything possible to keep it nice. It is not financially possible to have full time security. We are committed to try and provide the best we can for the park. It is an atmosphere for enjoyment where you can take your family for parties, playtime or for walking. The bathrooms seem to be where we get the most complaints. Since we don't have a full time person, a bathroom can get messed up in less than 15 minutes. We try to check every morning and clean them up. We were doing it only on Monday mornings and Friday afternoons but now we have our employees go by there every day to clean and maintain them as best we can. Also, there was a complaint about the lake in the Baker County Press but he was unsure what the nature of the complaint. It could have been some trash thrown in from the weekend and we go down on Monday mornings with a boat to clean up trash and do our best to keep it maintained. It might be that someone thrown some trash in over the weekend and we don't get to it until Monday to get it cleaned up. Commissioner Rhoden said the complaint letter referenced algae as the issue. Commissioner Johns said it was pollen on the lake and it was covered but after the rain it disappeared. Discussion followed regarding the bills. Commissioner Bennett made a motion and was seconded by Commissioner Johns to approve the bills as paid. Voting was unanimous. Motion carried.

Mayor Dopson opened the floor for comments from the Commissioners. Commissioner Rhoden said the City and the residents had done a really good job with storm cleanup. Commissioner Bennett said it would be a while before it was all cleaned up due to the mess. The residents had done a really good job getting the garbage out to the road. We are blessed there was no one killed in the storm. Mayor Dopson said we all need to do our part to let City Hall know when we see dying trees. City Manager Dopson said Representative Ander Crenshaw would be at Heritage Park on October 30 at 5:30. There will be a meal served. Everyone is welcome. In trying to reduce our energy costs, we have been replacing all our bulbs in the traffic lights to the low energy type bulbs. We used our own staff and bucket truck. Timmy Dugger and Charles Kirkland did a great job on that. It will reduce our operational costs some on our energy bill. Assistant City Manager Roger Yarbrough said we had been called out after the storm and everything west of 228 was out of power and everything east of 228 was with power. It started coming on in stages as FPL got things turned back on. We had several trees down. The staff has done a real good job getting everything cleaned up. The local residents have done a great job getting trees off their buildings and getting things cleaned up and to the road.

With no further business, the special meeting was adjourned.

  
MAYOR GARY DOPSON

ATTEST:

  
CITY MANAGER/ CLERK GERALD DOPSON

