

**CITY OF MACCLENNY**  
**Regular Meeting**  
**April 11, 2017**  
**6:00 p.m.**

The City Commission met in a regular session, Tuesday, April 11, 2017 with the following present: Mayor Mark Bryant, Assistant City Manager Mike Griffis, City Attorney Frank Maloney, Commissioners Lynward Bones, Sam Kitching, Cecil Horne Jr., and Danny Norton and Melissa Thompson acting as Council Secretary. City Manager Phil Rhoden and Council Secretary Deanna Dinkins were absent.

Mayor Bryant called the meeting to order. At the request of Mayor Bryant, Commissioner Kitching opened the meeting with prayer followed by a pledge to the United States flag.

**New Business:**

Fire Chief Buddy Dugger was present to recognize and pin recently promoted firefighters. Chief Dugger asked Captain Brett Higginbotham to join him and present the pins. Chief Dugger said Joshua Pristupa is being promoted to Engineer but could not attend due to a scheduled class. Chief Dugger asked Engineer Joshua Davis to come forward to be recognized as being promoted to the rank of Lieutenant. Chief Dugger told the Council about a major structure fire which occurred earlier in the day on West Shuey Avenue. We were first on the scene and Lieutenant Davis rolled up in the engine company with two of our newest firefighters on his crew. Chief Dugger said he was very proud of the actions, overall control, command and decisions made by Lieutenant Davis on the scene. Chief Dugger asked Captain Higginbotham to do the pinning. He said they all started work around the same time several years ago and he has watched them grow and mature into these jobs and they have made a fantastic team. Captain Higginbotham pinned Lieutenant Davis who was joined by his family to witness his promotion.

Assistant City Manager Mike Griffis presented pictures of the fire to the Council and audience. Chief Dugger said there were three children in the house at the time of the fire and their father got them out of the home. He said Lieutenant Davis handled this very stressful time very diplomatically.

Mayor Bryant said we are very fortunate. We live in a small city but we do not have small city fire protection, we are up there on a par with some wealthy cities. He said our rating is so good it actually impacts our homeowners' insurance in a very positive light and is just getting better all the time. Something you can't put a price on is a good night's sleep and the fire department helps us all get that. The security they provide is just amazing. If some of you didn't notice the fire today that's because it was brought under control so quickly and so well. Mayor Bryant said we are very blessed to have the protection and the leadership we have and he thanked those firemen present.

Mayor Bryant said we have a request for an extension of the moratorium on impact and water and sewer fees. He advised the audience that Manager Rhoden is not feeling well, so Assistant City Manager Mike Griffis will be speaking on Manager Rhoden's behalf.

Assistant City Manager Griffis said this request comes as a result of the City Manager and staff meeting with a home builder who wants to build 69 homes in the City of Macclenny. One of the concerns the home builder expressed was the fear of being in the middle of the construction process and then the City Commission lift the moratorium in the midst of it. The current moratorium is set to expire the end of September 2017 and so the purpose of their letter is to request an extension until September 30, 2018 to give them time to finish construction. According to their letter (attached) they plan to start construction in July of 2017 but will not have all of the homes finished until the fall of 2018. Mr. Griffis said according to some research he has done, Developer Magazine says LGI Homes is the 15<sup>th</sup> largest home builder in the United States. They were founded in 2002 and have 604 employees. He said based on what he discovered in his search they have the resources to do what they say they are going to do. They are currently involved in two developments in the Jacksonville area: Lumber Creek in north Jacksonville and Rolling Hills in south west Jacksonville. Mr. Griffis said the extension will not be specific to these developers. If an extension is granted it will be for any builder in the City of Macclenny through September of 2018.

Mayor Bryant said when we put this moratorium in place it was to foster growth. He said if they are 15<sup>th</sup> in the nation they should have the resources and clout needed to build the 69 single family dwellings. The moratorium is all inclusive: all developers will be included. Mayor Bryant said the question which may seem a little obvious of course is by placing this moratorium we are forgoing some upfront dollars; is it yours and staffs' thoughts that the long haul from a tax standpoint is much greater? Mr. Griffis said the whole point in putting the moratorium in place is to stimulate growth and ultimately build a bigger tax base. With impact fees you get a one-time payment upfront but the ad valorem tax revenue is from now on. So if this moratorium will allow for some growth of the tax base then it's certainly a good opportunity.

Commissioner Horne said from his discussion with Manager Rhoden the builder is very serious and he believes they are committed to begin with pulling permits and building 20 homes at the start. Commissioner Kitching said it is his understanding they have full intention of building out all 69 lots by September 2018. He also thinks they are doing it in phases of 20 homes at a time. Mr. Griffis confirmed the discussions with the builder are to begin build out of the remaining lots in Sands Pointe in phases of 20 homes at a time. Commissioner Kitching said when we originally passed the moratorium he believes it was discussed and documented in the minutes that we would grandfather in people on a case by case basis and asked City Attorney Maloney if he remembered anything about that. City Attorney Maloney said he doesn't think we can do individual exceptions. Commissioner Kitching explained at the time we were talking with the gentleman who was building storage units and the question was asked what would happen if he got started and the moratorium expired. He believes we said if the building was started that we would consider those on a case by case basis. He said he might have worded it poorly but this is what he was referring to. City Attorney Maloney said if construction was already permitted and started then we could do that, but only if it was already in process. Commissioner Bones clarified this moratorium would benefit everyone looking to build in the city. Mayor Bryant said that's the beauty of this extension everyone would benefit from it. If a small local builder only wanted to build one home they would benefit.

Fidel Lido asked if this would cost the city. Mr. Griffis said no the facilities are already in place. Mr. Lido asked if these would indeed be taxable properties. Mr. Griffis said we asked that question specifically and they are a for profit corporation so these will be taxable. Mr. Lido asked if anyone has looked at what size homes and types of construction they are planning to build and if this is in writing. Mr. Griffis said the developer is well aware of the requirements of the Planned Unit Development and deed restrictions which are in writing and they have not asked for any changes. When they pull permits we will review all of their plans and ensure they build according to lot sizes and all other requirements.

City Attorney Frank Maloney read **Resolution 17-04**: a resolution extending the temporary suspension/moratorium on Impact Fees until September 30, 2018. Commissioner Kitching made a motion and was seconded by Commissioner Norton to extend the moratorium for one year. There were no questions or comments. Voting was unanimous. Motion carried.

City Attorney Frank Maloney read **Resolution 17-05**: a resolution extending the temporary suspension/moratorium on Water and Sewer Development and Line Capacity fees until September 30, 2018. Commissioner Kitching made a motion and was seconded by Commissioner Norton to extend the moratorium for one year. There were no questions or comments. Voting was unanimous. Motion carried.

Mayor Bryant said it's important to reiterate it's not like these folks will not be helping to pay for infrastructure that will come in the way of tax dollars after the initial build. This is just forbearance for these initial fees. City Commissioner Kitching stated it's a moratorium not termination. Mayor Bryant said this is for one year and we can revisit the fees at that time. Commissioner Norton said this subdivision has all the infrastructure in place; all they have to do is build the homes and they will sell and become a benefit to our city.

Assistant City Manager Mike Griffis said at the last month's meeting the Commission appointed Mr. Lynward Bones as a City Commissioner which left a vacant spot on the Zoning Adjustment Board. We advertised for the position and actually have two spots open on the Board. He said Joshua Potts, Pastor of the First Assembly of God Church submitted his application for consideration and we are recommending his appointment to the Zoning Adjustment Board. Mr. Griffis said Mr. Potts has been attending some of the meetings and has a desire to get involved in

community government. We are excited about him coming on the board and believe he will be an asset. Mr. Griffis said we are also working with some other folks and hope to have a recommendation for another board member at the next meeting. We don't have anything scheduled yet for a meeting next month. We do have a quorum if Mr. Potts is appointed tonight, but we would like to get back to a full five member board as soon as we can. Fidel Lido said he recommends Joshua Potts and believes he will do a good job. Commissioner Kitching made a motion to appoint Joshua Potts to the Zoning Adjustment Board and was seconded by Commissioner Norton. There were no further questions or comments. Voting was unanimous.

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

- Regular Meeting: March 14, 2017

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

In other business was the review of the bills for March. There were a couple of questions on the bills which were discussed and answered. Commissioner Norton made a motion to approve the bills and was seconded by Commissioner Kitching. Voting was unanimous. Motion carried.

**Comments from the Board:**

Commissioner Norton said our Fire Department gives great value to the City of Macclenny and is something we can be very proud of.

Assistant City Manager Mike Griffis advised the Commission the City submitted a Legislative Appropriations request for \$500,000 through Representative Porter on the House side and it did not make it out of committee. However, we spoke with Senator Bradley and he put it back in on the Senate side of the budget. It can be found in Senate Bill 2500 page 233. He said we are not sure what the outcome will be, but we are still in the game. He also provided an update on the CSX sewer line repair project. He spoke with Kellen Lindsey from Mittauer Engineering today and we are currently at a standstill while the contractor works with CSX on charges. Mr. Griffis said there are charges from CSX the contractor has never seen before and was not aware of and are much higher than anticipated and he is working with CSX to try to get this worked out.

Commissioner Horne asked about the mosquito spraying and when it is going to start. Mr. Griffis said it is scheduled to start May 1<sup>st</sup>. Mayor Bryant and Commissioner Horne expressed the need to start spraying now as the mosquitos are already out and hopefully we can interrupt their life cycle.

Darryl Register with the Chamber of Commerce announced their upcoming Glitz, Glam and Goodies event to be held at the Ag Center on April 29<sup>th</sup>.

Mayor Bryant encouraged everyone to buy locally as much as you can.

Foster Bristol addressed the Commission regarding customers placing yard debris in plastic bags instead of just putting the debris beside the road. He explained the reasons we cannot accept the debris in the bags and suggested we come up with some type of plan and/or fee to discourage customers from putting the debris in bags. There was some discussion and Mr. Griffis asked Mr. Bristol, who works for the City, to come by his office to discuss ways we can work on this together.

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

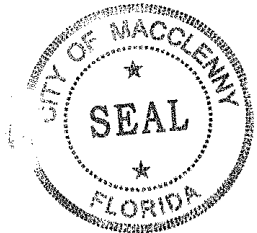
*Mark Bryant*

MAYOR MARK BRYANT

ATTEST:

*Phil Rhoden*

CITY MANAGER / CLERK PHIL RHODEN





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March 22, 2017

Mr. Phil Rhoden, City Manager  
City of Macclenny  
118 East Macclenny Avenue  
Macclenny, Florida 32063

RE: Sands Pointe – 69 Single Family lots

Dear Mr. Rhoden:

It was a pleasure speaking with you and Mike Griffis yesterday about LGI Homes new community in the City of Macclenny.

We understand the City's impact fee moratorium expires this coming September 2017. Please accept this letter as formal request for an extension of the impact fee moratorium for an additional year, until September 2018. We intend on starting home construction in July 2017, however, will not finish all 69 homes until Fall of 2018. The current impact fee moratorium was a major factor in LGI Homes decision to build homes in the City of Macclenny.

We appreciate your consideration of the request and look forward to a long and mutually beneficial relationship.

Please feel free to contact us with any questions.

Respectfully,

Jeff Riopelle  
Vice President of Land Acquisitions and Development  
LGI Homes - Florida