
COMMISSIONERS:

DeLoris Roberts, Mayor
John Martin, Vice Mayor
Eleanor Randall
Patricia Bouie
Michael E. Rutledge, Sr.

CITY MANAGER:

Chad M. Shryock, City Manager
Donna R. Mayes, City Clerk

CITY ATTORNEY:

Steve Lee

**MINUTES
SPECIAL COMMISSION MEETING
JANUARY 26, 2009**

A. CALL OF ORDER

1. Invocation – Commissioner Bouie
2. Pledge of Allegiance

All Commission Board present, Staff present was City Manager Shryock, City Clerk Mayes and Attorney Lee.

B. APPROVAL OF AGENDA

Moved to amend the agenda to put under item C, item D for Citizen Comment then also have at the end of the agenda

Motion – Commissioner Randall

Second – Commissioner Bouie

Discussion – Vice Mayor Martin questioned if citizen comments were being moved to comment on non-agenda or agenda items. Mayor Roberts answered both.

Vote – 5-0

C. RECOGNITIONS, PROCLAMATIONS AND GUEST

D. CITIZEN COMMENTS – NONE

E. CONSENT AGENDA

Moved to approve the consent agenda as written approving the Minutes of the Regular Meeting of January 6th and Workshop of January 12th of 2009

Motion – Vice Mayor Martin

Second – Commissioner Randall

Vote – 5-0

F. REGULAR AGENDA

1. Ordinance 2009-05 (First Reading) Amending Water & Sewer Rates

Mayor Roberts asked if the ordinance had been advertised. City Manager Shryock informed that the advertisement would be done ten (10) days before adopting the rates on second reading further stating he cannot advertise rates without Board approval on a rate schedule. Attorney Lee confirmed this. Chip George repeated what he had been saying at the last four meeting, the City is out of funds and in a financial crisis is why his recommendations have been made for rate increases. Ray Daniels of the Mayor's Advisory Panel related they feel Nite Owl's rates are too high and see no purpose in having an S2 and S3 meter in Hawthorne. Industrial Business should

not be penalized by being charged more but should try to bring in more businesses. They recommend a surcharge for one year be implemented the do relevant rate increase but not so excessive. Ellen Vause stated it is not a fair structure; the businesses are used to keep jobs going. Chip voiced they could go across the board and penalize those who do not use even a 1,000 gallons; the panel is not aware of those using under 6,000 gallons. The rates suggested is a 12 month rate and most cities do not charge sewer to industrial business. He also pointed grants can be affected by low sector change. Mayor Roberts stated look at panel recommendations and do something different. Chip expressed with the critical element of time they may want to go with the panel recommendation and get Florida Rural Water to do a rate study to include sewer. The surcharge of \$4.94 is still needed until the end of September, along with the 26% on water , 3% on sewer and garbage rates as stated plus 10%; all this going on the February.

Moved to approve Ordinance 2009-05 on first reading for a 26% increase on water with \$4.94 surcharge to end in September, 3% on sewer and garbage rates as stated

Motion – Commissioner Bouie

Second – Commissioner Rutledge

Vote – 5-0

2. Mayor's Advisory Panel Recommendations

On item #7 on the panels list recommended some Policies be written by the City Manager which he replied he was working on.

Item #8, Department Heads revisit the fuel figures. City Manager Shryock stated they have done that and already have that in the budget.

Item #9, Planner Position had no clarification on this but Mr. Shryock was looking into a solution.

Item 2, Recreation Department, Mayor Roberts stated she would like a report on the recreation department on how to curtail spending and down size. Commissioner Rutledge suggested having the City Manager get with the Recreation Director and come up with ways to make it work and bring in more money, give direction after they come up with something. Mayor Roberts instructed the group to bring a report to the Feb. 3rd meeting. Recreation Director Jay stated he had not been advised of any report he should do. Commissioner Randall conveyed she did request Department Heads to give reports when they were doing the budget. Mayor Roberts directed Jay to have a report by Friday.

Ms. Vause of the Advisory Panel revealed the four near term goal recommendations. One, look at employee benefits and compare to other cities, two, pursue the Fire services with Alachua County or restructure the fire assessment, number 3, Recreation Department Budget and number four, review the contracts with the City Manager.

Vice Mayor Martin commented in view of the present concerns, it was not fair to have the City Manager hang out in limbo before reviewing his contract. It is his feeling if they did a vote now it would be a 3-2 in favor of getting rid of him and it is not fair to everyone concerned to keep this up.

Mayor Roberts informed that Mr. Powell, the auditor had not answered her letter dated in December and proceeded to read her letter to the Board members reciting the violations of the City Managers contract per the Charter. Vice Mayor Martin suggested before going through this process just ask if he wants to resign; it would be a more graceful way to do this if he chooses to do this. City Manager Shryock stated that in November he offered his resignation per his contract and that proposal is still valid.

Attorney Lee advised this was a Special Meeting and only business of items listed could be conducted unless the Board planned on discussing. City Manager Shryock voiced it fits within the scope of the Advisory Panel recommending revisiting his contract. Attorney Lee let the Board

know that the severance package pretty much followed what was in the contract. Mayor Roberts recommended going through and reading it while everyone was present. Commissioner Rutledge voiced he did not like in the contract not being able to tell what Mr. Shryock did in Hawthorne. Vice Mayor Martin supported a clean termination without being vindictive as the next City Manager will look at how previous ones were treated. Commissioner Randall voiced it was time for change and thinks Mr. Shryock is also ready to go. It is an injustice to the Council to not have a working relationship; must have respect and they have a responsibility to the citizens. Commissioner Bouie felt it was time for change and time to move forward. Vice Mayor Martin asked a legal opinion if nothing damaging to the city was in the separation papers and if the City Manager would give information to incoming on what is going on in the city. Attorney Lee informed there was nothing in the agreement that should not be in there, can't hold him to anything. City Manager Shryock related it was in the Code of Ethics that he would support in any way to help incoming manager. Mayor Roberts stated she would like to have the attorney look over the agreement before voting on anything.

Moved to authorize the Mayor and City Attorney to look over the City Manager severance package

Motion – Vice Mayor Martin

Second – Commissioner Rutledge

Discussion – Meet tomorrow and discuss agreement and set meeting at 6:30 on 27th for a continuation.

Vote – 5-0

3. Citizen of the Year

Deacon Proctor was named by Commissioner Rutledge. Vice Mayor Martin asked if this was for the City or for the League, stating the League of Cities require a lot of backup. Mayor Roberts replied this was just for the Citizen of the Year for the City of Hawthorne.

G. REPORTS

City Manager Shryock mentioned that Jack Donadio would like to purchase the vehicle he was driving so he could have a car. The Board did not make a decision on this issue at this time.

H. Mayor Roberts dismissed at 9:50 P.M. continuing the meeting to January 27th at 6:30 P.M.

These Minutes of the January 26, 2009 Special Commission Meeting are submitted for approval

Donna R. Mayes, CMC/City Clerk

DeLoris Roberts, Mayor