
COMMISSIONERS:

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

CITY CLERK:

Donna R. Mayes

CITY ATTORNEY:

Steve Lee

**MINUTES
SPECIAL COMMISSION MEETING
FEBRUARY 11, 2009**

A. CALL TO ORDER

Mayor DeLoris Roberts called the meeting to order at 8:00am. Present was Mayor DeLoris Roberts, Vice Mayor John Martin, Commissioners Eleanor Randall, Patricia Bouie and Michael Rutledge. Staff present was City Clerk Donna Mayes, Planner Kelly Moosbrugger and Attorney Steve Lee.

Invocation was given by Commissioner Bouie followed with the Pledge of Allegiance led by Kelly Moosbrugger.

B. APPROVAL OF AGENDA

Moved to approve the agenda.

Motion – Commissioner Randall

Second – Commissioner Bouie

Vote – 4-0

C. AGENDA ITEMS**1. Interim City Manager Process**

Mayor DeLoris Roberts said that she has met with Mr. Watson, who will be helping us select an interim manager. She said we have advertised for the position in the Gainesville Sun and have received several resumes. After the application deadline they will screen the pool and narrow it down to three for interviews. Alachua will help with the background checks and other necessary tasks, and the City should have a manager before the end of February.

Attorney Steve Lee mentioned that we considered the resolution terminating former manager Shryock served on Friday, February 6th, which he already relayed to Mr. Shryock's attorney. Mr. Shryock has 15 days from that date to request a hearing, which gives him until Monday Feb 23rd. Ellen Vause recommended sending the resolution by registered mail, Mr. Lee said that was unnecessary, plus he could then claim that the 15 days starts at the time of receipt of the letter, which would prolong the process and the City would have to pay him during that time.

Commissioner Martin asked about the information requested by Mr. Shryock's attorney, and Mr. Lee said it should be treated as a public records request. City Clerk Mayes said she doesn't have it all together yet, and Mr. Martin expressed concern that if they don't get it soon they will claim they need more time to review it.

2. High Springs Dispatch

Mayor Roberts read a letter from High Springs Police Department explaining that the upgrades for their communication equipment was dependent upon funding from the City of Hawthorne of \$50,000 per year for 2007, 2008, and 2009. They never signed a contract with us but made verbal agreements with the city manager and the police chief, and Hawthorne had been making

payments. Now that our Police Department is gone and we won't be paying them anymore, they request that our police cars and equipment be donated to them.

Commissioner Martin said the city should not be looking to profit from equipment that was first donated to us – that we should do the right thing, not just cover ourselves legally. He also suggested that we ask for a letter from High Springs absolving us of all payment obligations if we do decide to donate our equipment.

3. Fire MSTU

Mayor Roberts read the recommendations of the advisory panel – to join the MSTU through interlocal agreement and lease our fire station to the county for \$1 per year instead of turning it over to the county along with the vehicles. The cost of the MSTU for 2009-2010 would be \$52,770.

Attorney Lee said Hawthorne would have no control over the MSTU cost if they joined, but that Hawthorne residents would pay the same millage as unincorporated residents and it is highly unlikely that the county would raise it by a lot. He said the combined millage for the police and fire MSTUs is 2.6221 mills, which would be subtracted from Hawthorne's available millage of 10. Property values are likely to fall, so to have the same income, the city and the county would have to raise the millage rate.

Mr. Martin pointed out that the county millage caps for general fund and MSTU are separate, so raising the MSTU would not affect them like it would affect us. He said the fire MSTU is a good deal but he questions the county's motivation now that they only want \$50k when 2 years ago they needed \$400k. He thinks they are trying to get rid of the MFA, starting with Waldo and now Hawthorne, and once the MFA is dead the county will come back with a huge fire assessment. He also explained that the \$11,000 in arrears Hawthorne is paying the county each year is due to the city manager several years ago missing payments while telling the commission the payments were being made. The county then let Hawthorne spread out the missed payments over the years. Martin said it will be very difficult to get back into the fire business once we join the MSTU.

Commissioner Randall asked when the MSTU would begin and would we come back after a year and renegotiate, Mr. Lee said the county needs to know by May for the MSTU for 2009-2010. Mr. Martin said the MSTU is a 3-year agreement, and that they said they would forgive the \$11,000 payments also.

Mr. Lee said the fire assessment for this year could be refunded to the citizens if the county could take over right away. Harry Carter said the Waldo agreement has a beginning date of October 2009 and that the contract renews itself each year.

Chief Modican explained that Chip said the fire assessment can go towards the \$11,000 payment and he understands the county would take over at the fire station in October if Hawthorne was to join the MSTU.

4. Law Enforcement MSTU

Alachua County Sheriff Sadie Darnell gave a report explaining that her office will respond to any need regardless of payment. She said the county does not pay for law enforcement entirely out of the general fund – the budget includes MSTU. The MSTU would pay for basic patrol and response. Archer and Newberry participate in the MSTU also. She said our general fund contributions that come from property tax pays for part of the other police services such as the school resource deputy and detective work, but not for patrol. With an MSTU, Hawthorne would have deputies assigned to the area that will work with us, and we will know who they are.

Mr. Rutledge said it sounds like a mini-HPD run by the Sheriff. Ms. Darnell said the deputies are not assigned to the City of Hawthorne, but the Hawthorne zone, and she can give the exact

boundaries of the zone later. One deputy would be assigned to the zone during the day and one at night.

Mr. Martin pointed out that the sheriff responds to calls in the cities that have their own PDs and don't pay the MSTU, which is the same as responding to calls in Hawthorne – neither pays the fair share. Ms. Darnell said she doesn't like how the MSTU is set up either but the county has chosen to use it. Her office will go wherever it is needed.

Mr. Martin hoped that Hawthorne could put pressure on the county to make Gainesville and other cities pay the MSTU also.

Ms. Darnell said the city could contract with the county for additional services if they want officers here at particular times, but we have to be a part of the MSTU to get such a contract.

She also said Hawthorne would receive a portion of traffic tickets written here and would be eligible to get a portion of any forfeitures. The sheriff would also consider assigning an officer to monitor red light cameras if we are part of the MSTU.

Mr. Rutledge asked what happens to neighborhood watch groups if we are not in the MSTU, Ms. Darnell said the cities that join get first dibs on services so it would depend.

The projected cost of the MSTU based on 2008 property values is \$72,871.

Attorney Lee said the county could not have an assessment for law enforcement.

Darnell explained that deputies are encouraged to attend commission meetings and will do so if possible for cities that pay the MSTU.

Mayor Roberts read the advisory panel recommendation that we should join the law enforcement MSTU for 2009-2010.

Mr. Lee suggested that we make sure we won't still have to pay for dispatch calls if we join the MSTU, and mentioned that a new vote would supersede the old vote to not join the MSTU.

Mayor Roberts recommended that the City look closely at joining the MSTU.

D. CITIZEN COMMENTS

1. Bobby Carlton
2. Jimmy Floyd – Public Works tractor and truck are busted, commission talks about scrapping the truck and other junk, and fixing the tractor.
3. Jeff McMeekin
4. Vivian Wagner

E. REPORTS

Mr. Lee wanted to know if there is anything he should do regarding the High Spring Dispatch issue. Mr. Martin said he should tell them what their legal obligations are regarding the verbal agreement made with High Springs. Mr. Lee explained that cities have been held to inferred contracts and that he will also check on how to declare a surplus. Ms. Mayes said in the past it has been done with a resolution.

Mr. Martin said if we join the fire MSTU we should ask the county to take over sooner so we don't increase the deficit.

F. ADJOURN

Commissioner Rutledge moved to adjourn the Special Commission Meeting of February 11, 2009.

These Minutes of the Regular Commission Meeting of August 19, 2008 are submitted for Commission approval.

Kelly Moosbrugger, Planner

DeLoris Roberts, Mayor